

TITLE III.

BOUNDARIES AND JURISDICTION.

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CHAPTER I.

PARTITION BETWEEN EAST AND WEST JERSEY.

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An Act for running and ascertaining the line of partition or division between the eastern and western divisions of the province of New Jersey, and for preventing disputes for the future concerning the same, and for securing to the general proprietors of the soil of each of the divisions, and persons claiming under them, their several and respective possessions, rights, and just claims.

REV. 9.

Passed March 27, 1719.

WHEREAS many doubts, debates, and controversies, have arisen, concerning the boundaries, or line of partition, between that part of this province of New Jersey now commonly called and known by the name of the western division of the province of New Jersey, and that part of said province now commonly called and known by the name of the eastern division of the province of New Jersey, which have proved a great obstruction to the settlement and improvement of the said province, and will, if they continue, prove a very great hinderance to the further settling and improving thereof, and of dangerous consequence to the peace and tranquillity of the government and inhabitants of the same; and whereas nothing can be more effectual to prevent

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debates and controversies, that may otherwise hereafter arise concerning the same, and for settling and quieting the minds of all persons concerned, than the fixing the said line of partition on a just, solid, and lasting foundation; *and whereas* a certain line, mentioned in an indenture quinti-partite, dated the first day of July, in the year of our Lord one thousand six hundred and seventy-six, in the twenty-eighth year of the reign of king Charles the second, made and executed by and between sir George Carteret of Sarum, in the county of Sarum, knight and baronet, of the first part; William Penn of Rickmansworth, in the county of Hertford, esquire, of the second part; Gawen Lowrie of London, merchant, of the third part; Nicholas Lucas of Hertford, in the county of Hertford, maltster, of the fourth part; and Edward Billinge of Westminster, in the county of Middlesex, gentleman, (in whom the inheritance and fee-simple of that undivided part, share, and moiety, of the province of New Jersey, which did formerly belong to the right honourable John lord Berkley, baron of Stratton, was by good and sufficient conveyances in the law then vested) of the fifth part; was, by the persons here before mentioned, parties to the aforesaid indenture quinti-partite, then sole owners of the whole province of New Jersey, meant, intended, and agreed to be the line of partition or division of the eastern part of this province, from the western part thereof; which said line was meant, intended, and understood by all the persons before mentioned, parties to the said indenture quinti-partite, to be a straight and direct line run from the most northerly point or boundary of the province of New Jersey, on the northermost branch of the river Delaware, unto the most southerly point of the east side of a certain inlet, harbour, or bay, on the sea coast of the province of New Jersey, commonly called and known by the name of Little Eggharbour—

How the partition line between East and West N. Jersey is to run.

1. BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly of this province, and it is hereby enacted and declared by the authority of the same,* That the said line, that is to say, a straight and direct line from the most northerly point or boundary of this province of New Jersey, on the northermost branch on the river Delaware, unto the most southerly point of a certain beach or island of sand, lying next and adjoining to the main sea, on the north side of the mouth or entrance of a certain inlet, bay, or harbour, commonly called and known by the name of Little Eggharbour, is and shall for ever hereafter remain and be the line of partition and division betwixt the eastern and western

divisions of this province; and all the lands, islands, and waters, within this province, lying and being to the eastward of the said line, is, and shall be, and for ever hereafter shall remain and be the eastern part, share, and division of this province; and all the lands, islands, and waters, within this province, lying and being to the westward of the said line before mentioned and described, is, and shall be, and for ever hereafter shall remain and be the western part, share, and division of this province.

2. *And whereas* the said line of partition, so agreed on as aforesaid, has, notwithstanding such agreement, not been as yet really and indeed run, nor the places through which it ought to pass, discovered or made known, although attempts have been made by persons appointed by agreement, between some of the proprietors of the soil of each of the said divisions, and lines have been run for that purpose in some parts of this province; which lines have been sometimes supposed to run through such parts of this province, as the said line agreed on by the parties to the indenture quinti-partite aforesaid should or ought to have run; and which, nevertheless, there is great reason to believe have been variant and different from the true line of partition agreed on as aforesaid, by reason of which, several tracts, parcels, and quantities of land have been taken up by the general proprietors of the soil of the eastern division of this province on the westerly side of the true partition line, agreed on as aforesaid; and several tracts, parcels, and quantities of land, have been taken up by the general proprietors of the soil of the western division of this province, on the easterly side of the said line of partition; many of which tracts, parcels, and quantities of land have been conveyed away and disposed, as well by the general proprietors of the soil of the eastern division of this province, as by the said general proprietors of the soil of the western division of this province; and which are now, by sufficient conveyances in the law, vested in the present possessors thereof, who have made several settlements and great improvements upon the same—*In order, therefore*, that the present possessors may be secured in the enjoyment of the fruits of their labour and industry, and that equal and impartial justice may be done to the general proprietors of each of the said divisions, as far as the present circumstances of things will admit—*Be it enacted by the authority aforesaid*, that when the line, enacted and declared by this act to be the line of partition between the eastern and western divisions of the province, shall be actually run straight and direct from any one of the terms, limits, or end of the said line, unto the other term, limit, or end of the same, and the several places within this province through which

The said line  
to be run.

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Computation to be made of the lands taken up by the eastern proprietors to the westward of said line, within a certain other line;

it shall pass be discovered and made known, that then there shall be, as near as conveniently may be, a survey or computation made of the whole, and full amount of all such tracts, parcels, and quantities of land as have been taken up, patented, surveyed, held, or possessed by the proprietors of the eastern division of New Jersey, or in their right, by persons claiming under them, to the westward of the said line hereby enacted and declared to be the line of partition aforesaid, so as the utmost limits and boundaries of all or any the said tracts and parcels of land do not extend further to the westward of the herein and hereby enacted and declared line of division, than to a certain line heretofore run and marked out, in the year of our Lord one thousand six hundred and eighty-seven, by George Keith, then surveyor general of that part of this province formerly called and known by the name of the province of East New Jersey, beginning at the most southerly point of a certain beach or island, lying next and adjoining to the main sea, to the northward of a certain bay, inlet, or harbour lying on the sea coast of this province, commonly called or known by the name of Little Eggharbour; and running thence, according to the natural position, on a north north-west fifty minutes more westerly course to the southwesterly corner of a certain tract of land, lying to the westward of the south branch of Raritan river, heretofore granted by the proprietors of the eastern division of this province to John Dobie, and commonly called and known by the name of Dobie's plantation; thence along the rear of the said Dobie's plantation, and along the rear of the other tracts of land and plantations, as they were heretofore patented or surveyed in right of the proprietors of the eastern division of this province, until it intersects that part of the north branch of Raritan river which descends from a fall of water, commonly called and known by the Indian name of

which lands are confirmed to the said eastern proprietors, and purchasers under them.

Allamitung; then running from that point of intersection, up the branch or stream, to the fall of Allamitung: all which said tracts, parcels, and quantities of land, plantations, and settlements, so taken up, patented, surveyed, possessed, settled, or improved, lying and being to the westward of the line of partition herein before enacted and declared to be the line of partition and division between the eastern and western divisions of this province, and not extending further to the westward of the said line of partition than is hereby before limited and expressed, shall be and remain to the patentees, vendees, possessors, or claimers of the same, their heirs and assigns for ever, without any let, hinderance, molestation, or eviction, by any of the general proprietors of the western division of this province, their heirs or assigns for ever. And the said patentees, ven-

dees, possessors, or claimers of any the said tracts, parcels, or quantities of land aforesaid, their heirs and assigns for ever, shall have, hold, occupy, possess, and enjoy all and any the said tracts, parcels, and quantities of land, as fully, to all intents, constructions, and purposes whatsoever, as if all or any the said tracts, parcels, or quantities of land had been so taken up, patented, surveyed, bought, claimed, or possessed in the eastern division of the province of New Jersey, on the east side of the said line herein before enacted to be the line of partition between the eastern and western divisions of this province, and not otherwise, any law, usage, or custom to the contrary in anywise notwithstanding.

3. *And be it enacted by the authority aforesaid,* That there shall, as near as conveniently may be done, a survey or computation be made of the whole and full amount of all such tracts, parcels, and quantities of land as have been taken up to the eastward of the herein and hereby enacted line of partition, by or in right of the proprietors of the western division of this province, and a survey or computation be made of the whole and full amount of all such tracts, parcels, and quantities of land as have been taken up to the westward of the herein and hereby enacted line of partition, by or in right of the proprietors of the eastern division of this province: and in case such quantity or number of acres of the said land, so surveyed or taken up by or in right of the proprietors of both divisions as aforesaid, be equal, the same is hereby enacted and declared to be vested in the several possessors, takers up, or claimers of the same, their heirs and assigns for ever, as fully and amply, to all intents and purposes whatsoever, as if the same had been so taken up, possessed, or claimed in the respective divisions of this province, for which the same was taken up, and not otherwise; but in case it shall so happen that upon the aforesaid computations, the total sum or amount of all the tracts, parcels, and quantities of land taken up by or in right of the proprietors of the eastern division to the westward of the line of partition, herein and hereby established and declared, shall be found to exceed the quantity or number of acres contained within that tract herein before described and allowed to have been taken up by or in right of the proprietors of the western division to the eastward of the said line of partition, then and in such case there shall be cut off from all or any of those tracts and parcels of land, which have been surveyed or taken up by or in right of the proprietors of the eastern division, either on the west or east side of the said line of partition (excepting such as have been taken up in right or on account of a first dividend, or the proportion of ten thousand acres to one propriety, or twenty-

A computation to be made of the amount of lands taken up by the West Jersey proprietors on the east side of the partitionline.

If the land taken up on the wrong side by each be equal, it is to be held in fee by each.

East Jersey proprietors to give an equivalent, if they have too much.

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fourth part of said division and quit-rent lands) or out of any unsurveyed lands in the said eastern division, in such tracts as shall be thought fit, the full quantity of such exceeding, in the most just and equal manner; which lands, so taken, shall be an equivalent to the proprietors of the western division, and shall be held by them, or such of them as shall take up the same, and by their heirs and assigns for ever, notwithstanding any survey formerly made thereon, and notwithstanding the said lands, or some of them, may prove to be situate on the eastern side of the partition line hereby enacted and declared, as fully and amply, to all intents and purposes, as if the same had never before been surveyed to any other person, or were situate on the western side of the partition line herein before enacted, any law, usage, or custom to the contrary in anywise notwithstanding. But in case it shall so happen that, upon the aforesaid computation, the total sum or amount of all the tracts, parcels, and quantities of land taken up by or in right of the proprietors of the western division to the eastward of the line of partition herein and hereby established and declared, shall be found to exceed the quantity or number of acres contained within that tract herein before described and allowed to have been taken up by or in right of the proprietors of the eastern division, to the westward of their said line of partition, then and in such case there shall be taken and cut off from all or any of those tracts and parcels of land, which have been surveyed or taken up by or in right of the proprietors of the western division, either on the east or west side of the said line of partition, in right or on account of a fourth dividend, or a fourth taking up, the proportion of five thousand acres for each whole propriety or hundredth part of the western division, or out of any unsurveyed lands within the said western division, in such tracts as shall be thought fit, the full quantity of such exceeding, in the most just and equal manner; which lands, so taken, shall be an equivalent to the proprietors of the eastern division, and shall be held by them, or such of them as shall take up the same, and by their heirs and assigns for ever, notwithstanding any survey formerly made thereon, and notwithstanding the said lands, or some of them, may prove to be situate on the western side of the partition line herein enacted and declared, as fully and amply to all intents and purposes as if the same had never before been surveyed to any other person, or were situate on the eastern side of the partition line herein before enacted, any law, usage, or custom to the contrary hereof in anywise notwithstanding.

West Jersey proprietors, having too much, to give an equivalent to East Jersey proprietors.

No tract settled and im-

4. *Provided always, and be it enacted by the authority aforesaid,* That no tract or tracts of land, on which any settlement and im-

provement hath been made, shall be taken as aforesaid, or applied to make good such exceeding, or any part thereof; but that all and every such tract and tracts or parcels of land, taken up by any of the proprietors of the western division on the east side of the aforesaid line of partition, on which tract or tracts any settlement or improvement is made, shall be held by the possessors or owners thereof, their heirs and assigns, as fully and amply, to all intents and purposes whatsoever, as if such tract and tracts had been taken up on the west side of the said line of partition, and not otherwise. And all and every such tract and tracts or parcels of land, taken up by any of the proprietors of the eastern division on the west side of the aforesaid line of partition, on which tract or tracts any settlement or improvement is made, shall be held by the possessors or owners thereof, their heirs and assigns, as fully and amply, to all intents and purposes whatsoever, as if such tracts had been taken up on the east side of the said line of partition, and not otherwise.

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proved to be taken in such equivalent, but the possessors to enjoy the same.

5. *Provided also*, That if any proprietor of the eastern division, from whom any lands are taken to make good the equivalent to the proprietors of the western division, as aforesaid, have or shall procure, within two years after the same are taken to make good the equivalent aforesaid, a proprietary right to any unsurveyed lands within the western division of this province, such proprietor of the eastern division may retain and keep to himself such lands as otherwise he might by this act have been obliged to surrender to the western proprietors, by laying on the same a good proprietary right to the same quantity of land in the western division of this province, anything herein contained to the contrary notwithstanding.

Any eastern proprietor may locate his land with western rights, and hold it.

6. *Provided also*, That if any proprietor of the western division, from whom any lands are taken up to make good an equivalent to the proprietors of the eastern division, as aforesaid, have or shall procure, within two years after the same are taken to make good the equivalent aforesaid, a proprietary right to any unsurveyed lands within the eastern division of this province, such proprietor of the western division may retain and keep to himself such lands as otherwise he might, by this act, have been obliged to surrender to the eastern proprietors, by laying on the same a good proprietary right to the same quantity of land in the eastern division of this province, anything herein contained to the contrary notwithstanding.

Proprietors of West Jersey allowed the same privilege.

7. *And be it enacted by the authority aforesaid*, That upon the computation made, in case it shall happen that the quantity of lands taken up by or in right of the proprietors of the western division,

On computation made, if the eastern proprietors

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on the east side of the herein and hereby enacted line of partition, does exceed the quantity of lands taken up by or in right of the proprietors of the eastern division, on the west side of the herein and hereby enacted line of partition, the surveyor general of the eastern division, or his deputy, and commissioners or managers for the same, herein after appointed, or the major part or survivor of them, shall forthwith survey, allot, take up, and ascertain such exceeding, on the lands out of which the same is by this act directed to be taken, and shall cause to be recorded a certificate, under their hands, how and in what manner they have done the same, in the secretary's office of this province, and surveyor general's office of the eastern division, there to be in public view, and shall send a true copy thereof to the council of proprietors of the western division of this province. And upon the computation made, in case it shall happen that the quantity of lands taken up by or in right of the proprietors of the eastern division, on the west side of the herein and hereby enacted line of partition, does exceed the quantity of lands taken up by or in right of the proprietors of the western division, on the east side of the herein and hereby enacted line of partition, the surveyor general of the western division, or his deputy, and commissioners or managers for the same, herein after appointed, or the major part or survivor of them, shall forthwith survey, allot, take up, and ascertain such exceeding, on the lands out of which the same is by this act directed to be taken, and shall cause to be recorded a certificate, under their hands, how and in what manner they have done the same, in the secretary's office of this province, and in the surveyor general's office of the western division, there to be in public view, and shall send a true copy thereof to the proprietors of the eastern division of this province: after which certificate, recorded and returned as aforesaid, the respective proprietors, who had right to take up such exceeding, shall be and are hereby for ever barred of claiming any other lands in right of such exceeding, anything herein contained to the contrary notwithstanding.

have taken too much, the equivalent to be surveyed by the eastern surveyor general and recorded.

Western proprietors having too much, an equivalent to be made the eastern.

Lands to the westward of said line surveyed to the eastern proprietors, with the equivalent, to be a part of East Jersey;

8. *And*, the more equally to preserve to each division the same quantity of land, which falls to it by the line of division or partition between the eastern and western divisions of this province—*Be it enacted by the authority aforesaid*, That all the tracts of land, which have been formerly patented or surveyed to the proprietors of the eastern division, and to others claiming under them, to the westward of the said line of partition, as also all such lands as shall or may fall to them as an equivalent out of the western division, and to the westward of the said partition line, shall be taken, con-

strued, and for ever hereafter deemed to be a part, share, and portion of the eastern division of this province. And all the tracts and parcels of land which the proprietors of the western division, or persons claiming under them, shall, in pursuance of this act, and according to the true intent and meaning thereof, fall on the east side of the said line of partition, excepting any small parcels which shall be remote and wholly severed from the body of the said division, shall be taken, construed, and for ever hereafter deemed to be a part, share, and portion of the western division of this province; of which all bodies corporate and politic, and all other persons, are to take notice and govern themselves accordingly, anything herein contained to the contrary notwithstanding.

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and those on the east side to belong to West Jersey.

9. *And*, for the more effectual doing of justice to such proprietors, who shall be entitled to take up any lands, either in the eastern or western division of this province, for or by reason of any deficiency or exceeding of the lands mentioned to be taken up within the eastern division of this province, by or in right of the proprietors of the western division of the same, *it is further enacted by the authority aforesaid*, That from and after the publication of this act, until such time as it shall be determined, in the manner before in this act directed, of what number of acres such defect or exceeding of the quantities of land herein before mentioned does consist, no land shall be surveyed or taken up (above the quantity of one hundred acres in one tract, and by one person, and this only among the inhabitants and settlements) within either of the divisions of this province. And in case any person or persons, whatsoever, shall survey or take up any land contrary to the true intent and meaning hereof, all and every such survey and surveys and taking up is and are hereby declared to be so far void, that any of the persons entitled to take up any lands in either of the divisions aforesaid, as his part and share of the equivalent, before mentioned, due to him, may survey and take up any such land, and shall thereupon be as fully and absolutely entitled to hold the same to him, his heirs and assigns for ever, as if no such former survey had been made thereon.

Surveys made before such computation liable to be vacated, except one hundred acres to one person.

10. *And whereas* the surveys of lands, and the quantities held thereby in this province, have frequently been uncertain and difficult to be discovered, by reason of the office of surveyor general has not been duly established and regularly kept within the respective divisions—*Be it therefore enacted by the authority aforesaid*, That the surveyor general of the eastern division shall, by himself or his lawful deputy, hold a public office in the city of Perth Amboy, for all the eastern division of this province; and the surveyor general of the western division shall, by himself or his lawful deputy, hold

Surveyors general of E. and W. Jersey to keep an office at Perth Amboy and Burlington.

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All surveys to be recorded, and declared to be good evidence, etc.

The surveyors general authorized to sue for maps, etc.

Such as belong to private persons, to be redelivered when copied.

Surveyors general to give security.

Time limited to record surveys, or be void.

a public office in the town of Burlington, for the western division of this province; in which offices, respectively, shall be carefully entered and kept the surveys of all lands which shall hereafter be made within this province; and such entries shall be of record, and may be pleaded as evidence in any of his majesty's courts of judicature within this province. And the said surveyor and surveyors general is and are hereby authorized and empowered to collect, demand, receive, sue for, and recover, from all persons whatsoever, within this province, all books of surveys, general charts, maps, and draughts of lands heretofore made by any public surveyor or surveyors, for the lands within his or their district or districts, which may be of general use for proving the rights of the proprietors, or of persons claiming under them, to any tracts or parcels of land surveyed and taken up within this province; and the same shall be safely lodged and kept in the said respective offices within the division within which the lands, whereunto such books, charts, maps, and draughts do belong, are respectively situate, excepting such books of surveys as he shall recover belonging to the eastern division, which, upon recovery, he shall forthwith deliver into the recorder's office of the said division, there to be kept for public use and view; *provided always*, that he redeliver with all convenient speed such of them as are the property of any particular person, to the person whose property they are, after he or they, the surveyor or surveyors aforesaid, have either taken authentic copies thereof, or recorded them in their books. And the said surveyor or surveyors general shall give security to his excellency brigadier Hunter, our present governor, or to the governor or commander-in-chief for the time being, for the use of the proprietors of each respective division, and their successors, in the sum of one thousand pounds of lawful money of Great Britain, for his and their delivering up to his and their respective successor and successors therein, all books of surveys, general charts, maps, and draughts, which he shall have received and recovered as aforesaid, and which have not otherwise been directed to be delivered as aforesaid, and the books he or they shall have kept during the execution of his or their respective offices.

11. *And whereas* great inconveniences have happened by the making and not recording of surveys, whereby many have not only got lands surveyed which have been formerly surveyed, not knowing of any former survey, but have settled and made great improvement of the same, and have been afterwards ousted thereof; for the remedying whereof for the future, *it is hereby enacted and declared by the authority aforesaid*, That all surveys heretofore

made, the certificates whereof are in the hands of any of the inhabitants of this province, or any of the neighbouring provinces, which are not within two years, and that all surveys heretofore made, the certificates whereof are in the hands of people living beyond seas, which are not within three years, after the publication hereof duly recorded, either in the recorder's office, or in the surveyor general's record of the respective division in which such lands are surveyed, be for ever hereafter void and of none effect; and any succeeding survey, duly made thereof and recorded, shall be as good and sufficient as if no former survey had been made.

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CHAPTER 2.

PARTITION BETWEEN NEW YORK AND NEW JERSEY.

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| 1. Partition line established.  |  | 4. Acquired rights not divested. |
| 2. By whom and how ascertained, |  | 5. Royal assent to be had.       |
| 3. New York titles confirmed.   |  | " Confirmation.                  |

An Act for establishing the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, and for confirming the titles and possessions.

REV. 29.

Passed September 26, 1772.

WHEREAS the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, from the station on Hudson's river, to the station on Delaware river, not being duly ascertained, and the extent of their respective jurisdictions remaining uncertain, and the due and regular administration of government, in both colonies, being by that means greatly obstructed, the respective legislatures of both the said colonies did, by acts for the purpose passed, concur in submitting the title and property of the lands, affected by the said boundary or partition line in both colonies, to such a method of decision as his most gracious majesty should think proper, by his royal commission or otherwise, to institute and appoint; of which acts his majesty was pleased to declare his approbation, and, by his royal commission, under the great seal of Great Britain, bearing date the seventh day of October, in the seventh year of his reign, did authorize and appoint certain persons therein named, or any five of them, to be his majesty's commissioners for ascertaining, settling, and determining the boundary aforesaid, between the said

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colonies; *and whereas* a sufficient number of the commissioners, named in the said commission, on the seventh day of October, in the year of our Lord one thousand seven hundred and sixty-nine, did determine that the boundary or partition line between the said colonies of New York and New Jersey should be a direct and straight line from the fork or branch, formed by the junction of the stream or waters called the Machackamack with the river Delaware or Fishkill, in the latitude of forty-one degrees, twenty-one minutes, and thirty-seven seconds, as found by the surveyors appointed by the said commissioners, to a rock on the west side of Hudson's river, marked by the said surveyors, in the latitude of forty-one degrees, being seventy-nine chains and twenty-seven links to the southward on a meridian from Sneydon's house, formerly Corbet's, from which determination the agents for both said colonies appealed to his majesty in his privy council; *and whereas* several tracts of land to the northward of the said partition line, so decreed by the said commissioners, have been heretofore taken up or sold, and hitherto and still are held and possessed by virtue of titles derived from and under the government of New Jersey, or the general proprietors of the same, or some or one of them, to wit, one tract of land on the sixth day of November, one thousand seven hundred and eighteen, surveyed and afterwards returned for John Docker, for one thousand acres, with the usual allowance for highways; another tract on the eleventh day of October, one thousand seven hundred and eleven, surveyed and afterwards returned for William Tidsworth, for three hundred and fifty acres, with the usual allowance for highways; another tract on the twenty-ninth day of July, one thousand seven hundred and thirty-one, surveyed and afterwards returned for Samuel Green, for seven hundred and eighty-three acres, with the usual allowance for highways; and two other tracts of land mentioned to contain together five hundred acres, besides the usual allowance for highways, surveyed and returned for Johannes Westphalia, Claus Westphalia, Simon Westphalia, Tunis Quick, Remora Quick, and Cornelius Doucher, only about one hundred acres of which last mentioned two tracts are now held and possessed by virtue of the said survey, the remainder thereof being now held and possessed by persons claiming under the colony of New York; another tract of land at the northeast end of the long pond, surveyed and returned for or at the request of Peter Schuyler, containing four hundred and two acres and forty-nine hundredths of an acre, strict measure, which, after allowance for highways, was to remain for three hundred and eighty-three acres

and thirty-two hundredths of an acre; and also another small tract of land, surveyed the twelfth day of July, one thousand seven hundred and sixty-three, for John and Gertrude Schuyler, situate adjoining the tract last above mentioned, and containing thirteen acres and fifty-nine hundredths of an acre; several other tracts of land sold and conveyed by the devisees of James and Mary Alexander to sundry persons, on the thirteenth day of December, one thousand seven hundred and sixty-two, to wit, to Elijah Inman one hundred and one acres and seven hundredth parts of an acre; to Hannah Ferguson one hundred and twenty-three acres and fifty-one hundredth parts of an acre; to George Kimber one hundred and sixty-one acres and seventy-four hundredth parts of an acre; to Hezekiah Lorin ninety-seven acres and fourteen hundredth parts of an acre; to Inman Wallin sixty-six acres and ninety-three hundredth parts of an acre; to Benjamin Van Vleet one hundred and four acres and thirty-five hundredth parts of an acre; to Bryant Hammell one hundred and thirty-five acres; to James Clark one hundred and four acres and fifty-six hundredth parts of an acre; to Jacobus Rosecrans one hundred and seventy-three acres and thirty-five hundredth parts of an acre; to Johannes Westbrook one hundred acres; to John Davis one hundred and fifty-two acres; to Jacob Middagh two hundred and thirteen acres and seventy-six hundredth parts of an acre; and to Josias Cole one hundred acres; and another tract of fifty acres sold and conveyed by Andrew Johnston to George Kimber, on the eighth day of August, one thousand seven hundred and fifty-nine, a part of which lays to the southward of the said partition line; another tract of eighty-seven acres and fifty-six hundredth parts of an acre, sold and conveyed by Benjamin Thompson to Johannes Westbrook, on the fourth day of May, one thousand seven hundred and sixty-three; two other tracts of land sold and conveyed by James Alexander, William Burnet, and James Parker to Richard Gardiner, on the thirtieth day of March, one thousand seven hundred and fifty-three, the one tract containing one hundred and seventy acres and the other eight acres; another tract of forty acres and sixty-three hundredth parts of an acre, sold and conveyed by the devisees of James and Mary Alexander to the said Richard Gardiner, on the third day of January, one thousand seven hundred and sixty-three; and another tract of one hundred and seventy-three acres, sold and conveyed by the said devisees of the said James and Mary Alexander to Joseph Barton, on the sixteenth day of December, one thousand seven hundred and sixty-two, part whereof lies to

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the southward of the said partition line; another piece of land containing about one acre, sold and conveyed by David Ackerman to Jacobus Van Buskirk, on the twelfth day of February, one thousand seven hundred and sixty-two; and also several other tracts of land, purchased, surveyed, and located for the proprietors of the Stirling iron works, to wit, one tract containing fifty acres, surveyed the tenth day of November; one thousand seven hundred and thirty-six, to Cornelius Board and Timothy Ward; six small tracts, containing in the whole twenty-seven acres and seventy-two hundredths of an acre, surveyed the twelfth day of February, one thousand seven hundred and thirty-eight, to the said Board and Ward; six other tracts of land, containing in the whole three hundred and seventy-one acres and fifty-three hundredths of an acre, surveyed the twenty-third day of July, one thousand seven hundred and forty, to Timothy Ward, William Smith, and company; and another tract of ten acres and eight-tenths of an acre, surveyed the twenty-ninth day of November, one thousand seven hundred and fifty-seven, to William Hawkhurst; three other tracts, containing in the whole one hundred and thirty-one acres and twenty-five hundredths of an acre, surveyed to James Burling the seventh day of May, one thousand seven hundred and fifty; and another tract containing ten acres and twenty-nine hundredths of an acre, surveyed to William Hawkhurst the twentieth day of July, one thousand seven hundred and sixty-one; one other tract of land sold and conveyed by John Barberie and Peter Fauconier to John Sobrisco, on the sixth day of November, one thousand seven hundred and twenty-four, containing six hundred and thirty acres; one other tract of land sold and conveyed by Magdalene Valleau to Coenradt Wanmaker, on the twenty-third day of May, one thousand seven hundred and fifty-three, containing one hundred and five acres; one other tract of land sold and conveyed by Richard Gardiner to Elijah Reeve, on the eighth day of June, one thousand seven hundred and sixty-two, containing one hundred and twenty-seven acres and forty-eight hundredths of an acre; also three other tracts of land, surveyed the thirteenth day of April, one thousand seven hundred and sixty-eight, to William Hawkhurst, containing one hundred acres and ninety-eight hundredths of an acre, strict measure, after the usual allowance for highways; and whereas several other tracts of land to the southward of the said partition line, so decreed by the said commissioners, have been heretofore patented, and hitherto and still are held and possessed by virtue of titles derived under the government of New York, to

wit, sundry tracts of land included in the following bounds: beginning at the aforesaid rock on the west side of Hudson's river, in the latitude of forty-one degrees, and runs from thence southerly along Hudson's river, to the southeast corner of the land now in the possession of Mattys Bogert; and from thence westerly along the south side of the said Mattys Bogert's land, and along the lines of the lands now in the possession of Isaac Westervelt and Garret Westervelt to the Tiene kill; and then along the said kill to the Dwars kill; and from thence along the said Dwars kill to Demarest's kill, on Hackensack river; and from thence along the said river to the mouth of Pascack river; and then along the said Pascack river till it comes to the lands of David Demarest, whereon the said David Demarest's mill stands; and then westerly around his lands, and including the same to the said Pascack river; and then along said Pascack river to the said partition line decreed as aforesaid; and then along the said partition line to the place of beginning; and another tract of land sold and conveyed by Benjamin Ask and Lancaster Symes to Thomas De Kay, containing one thousand three hundred and twenty acres, part of which lies to the northward of the said partition line; and two other tracts of land sold and conveyed by Hendrick Vanderlinda to Frederick Orten-dike, by deed bearing date the thirtieth day of May, one thousand seven hundred and thirty-five, the one containing two hundred and eighty-five acres and the other containing one hundred and eighty acres; and another tract of land sold by Abraham Van Horne and Catharine his wife to John Fasheur and Cornelius Haring, by deed bearing date the twenty-second day of May, one thousand seven hundred and fifty-two, containing one hundred and eighty-five acres, be the same more or less; and another tract of land sold and conveyed by Samuel Verbryck and Susannah his wife to John Fasheur, by deed bearing date the nineteenth day of May, one thousand seven hundred and fifty-nine, containing two hundred and sixty-five acres and three-fourths of an acre, good measure, part whereof lies to the northward of said partition line; and another tract of land sold and conveyed by Benjamin Van De Linde to William Haldron, by deed bearing date the eighteenth day of December, one thousand seven hundred and sixty, containing two hundred and fifty-eight acres; and another tract of land, being the remainder of the unsold lands of so much in Samuel Bayard's patent as is contained in a deed from Hendrick Van De Linde to Roelof Van De Linde, Benjamin Van De Linde and Samuel Verbryck, bearing date the

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thirtieth day of June, one thousand seven hundred and sixty; and another tract of land sold and conveyed by Robert Campbell to Andries Pieteron, by deed bearing date the twenty-first day of August, one thousand seven hundred and sixty-two, containing one hundred and fifty acres; and another tract of land sold and conveyed by Henry Van De Linde and Ariaentie his wife to Abraham Post, by deed bearing date the twelfth day of January, one thousand seven hundred and sixty, containing one hundred and fifty acres; and another tract of land sold and conveyed by Benjamin Van De Linde to Garret Ackerson and Garret Haring, by deed bearing date the fourth day of May, one thousand seven hundred and fifty-nine, containing three hundred and forty-eight acres; and also a piece of land, now in the possession of William Byard, esquire, being a part of a tract of land formerly granted by letters patent, under the great seal of the province of New York, to Daniel Honan and Michael Hawden, lying adjoining the south side of the said partition line, and bounded to the southeast by the land in possession of John Fasheur, and to the southwest by the land in possession of William Haldron; *and whereas* it is conceived just and equitable that the present possessors of the said lands, on each side of the said partition line, who have not only purchased the same for a valuable consideration, but many of them have laid out all their substance in the improvement thereof, should be secured in the enjoyment of the fruits of their labour and industry—

Partition line

1. BE IT THEREFORE ENACTED *by his excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the authority of the same,* That the said partition line, so decreed by the said commissioners, is and shall for ever hereafter remain and be the boundary and line of partition between this colony and the colony of New York.

Who to ascertain the line, and how.

2. *And be it further enacted by the authority aforesaid,* That James Parker, John Stevens, and Walter Rutherford, esquires, or any two of them, shall be and hereby are appointed commissioners to join with such as are appointed on the part of the colony of New York, to ascertain and mark the said partition line, so that it may be sufficiently known and distinguished; and the said commissioners are hereby directed and required to mark the before mentioned rock, on the west side of Hudson's river, marked by the surveyors in the latitude of forty-one degrees, with a straight line throughout its surface, passing through the place marked by the surveyors, and with the following words and figures, to wit, "lati-

tude forty-one degrees north," and on the south side thereof, the words "New Jersey," and on the north side thereof, the words "New York;" and to mark every tree that may stand in the said line with five notches and a blaze, on the northwest and southeast sides thereof; and to put up stone monuments, at one mile distance from each other, along the said line, and to number such monuments with the number of miles the same shall be from the before mentioned marked rock, on the west side of Hudson's river, and mark the words "New Jersey" on the south side, and the words "New York" on the north side of every of the said monuments.

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3. *And be it further enacted by the authority aforesaid,* That the several and respective patentees, vendees, possessors, and claimants, of all and every the said tracts of land to the southward of the said boundary or partition line, which are now held and possessed in virtue of titles derived under the government of New York, as above described, and their heirs and assigns, shall severally hold and for ever enjoy the property of all and any and every of the said tracts of land, so as aforesaid respectively purchased and possessed, as fully and in the same manner, to all intents and purposes whatsoever, as if the same had, by virtue of this act, been determined to be within the colony of New York, without any let, suit, disturbance, or molestation of the general proprietors of New Jersey, or any of them, or any person or persons claiming or to claim by, from, or under the said general proprietors, or any or either of them, or by virtue of any title derived under the said government of New Jersey.

Titles of patentees, etc., under New York to the southward of the line, confirmed.

4. *Provided always, and be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for any person or persons claiming titles under the said government of New York, to any of the aforesaid lands or tenements hereby intended to be secured to the purchasers and possessors under the said government of New York, to the southward of the said boundary or partition line, to commence, sue, prosecute, and maintain any writ, suit or action for the recovery of their rights, this act being only designed to confirm the titles to such lands lying to the southward of the said partition line, as are in manner aforesaid actually held and possessed under the government of New York, against all claims under the general proprietors or government of New Jersey, but not to determine the particular rights of the claimants of such lands under the government of New York.

This act not to divest any right under New York.

5. *Provided always,* That this act shall not be in force or take effect until his majesty shall have given his royal assent, both to this act and a similar act passed by the governor or commander-in-

Royal assent to be had.

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chief, the council and the general assembly of the colony of New York, the sixteenth day of February, in the eleventh year of his present majesty's reign, entitled, "An act for establishing the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, and for confirming titles and possessions."

Confirmed by the king in council, the first day of September, 1773.

## CHAPTER 3.

COMMISSION TO SETTLE DIFFERENCES WITH NEW YORK AUTHORIZED.

1. Commissioners to be appointed. | 2. Their powers and duties.

HAR. 414. **An Act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York.**

Passed February 6, 1833.

Preamble. **WHEREAS** the legislature of the state of New York have recently passed a law authorizing the governor of that state to appoint commissioners, to meet commissioners on the part of this state, to negotiate and agree respecting the territorial limits and jurisdiction of the state of New Jersey and the state of New York; and whereas it is expedient and desirable that the difference heretofore existing on this subject should be amicably and speedily adjusted—therefore,

Governor to  
appoint com-  
missioners.

1. **BE IT ENACTED** *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the governor of this state, or the person administering the government of the same, be and he is hereby authorized to appoint three commissioners, with full power on the part of New Jersey to meet commissioners appointed or to be appointed under or by virtue of a law of New York, passed January the eighteenth, eighteen hundred and thirty-three, and with them to negotiate and agree respecting the territorial limits and jurisdiction between the said states, as to them may seem just; and if, by death, resignation, or otherwise, a vacancy do happen among those appointed by the state of New Jersey, the governor, or person administering the government of this state, is hereby authorized to supply the same.

Their pow-  
ers and du-  
ties.

2. *And be it enacted,* That the said commissioners on the part of the state of New Jersey, or a major part of them, shall have full

power and authority to agree upon, settle, and determine the limits of territory and jurisdiction between the said states, as to them may seem just; and their agreement in the premises, in writing, signed and sealed by the said commissioners of both states, or a majority of them, respectively, if made on or before the first Tuesday of January next, shall become binding on this state, when confirmed by the respective legislatures of New Jersey and New York, and approved by Congress.

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3 and 4. Executed.

## CHAPTER 4.

### LIMITS AND JURISDICTION OF NEW JERSEY AND NEW YORK ESTABLISHED.

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|--|---------------------------------|
| 1. Boundary line.                        | 5. Jurisdiction over the sound. |
| 2. Islands subject to New York.          | 6. Process of New Jersey.       |
| 3. Jurisdiction over the Hudson and bay. | 7. Process of New York.         |
| 4. Jurisdiction over Kill Van Kull.      | 8. Agreement, when binding.     |

An Act to ratify and confirm an agreement made between the commissioners appointed by the governor of the state of New York, and the commissioners appointed by the governor of the state of New Jersey, respecting the territorial limits and jurisdiction between the said states.

1833-4.  
PAMPH. 118.

Passed February 26, 1834.

WHEREAS commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of New Jersey, for the purpose of agreeing upon, and settling the jurisdiction and territorial limits of the two states, have executed certain articles, two copies for each state, which are contained in the following words:

Preamble.

Agreement made and entered into, by and between Benjamin F. Butler, Peter Augustus Jay, and Henry Seymour, commissioners duly appointed on the part and behalf of the state of New York, in pursuance of an act of the legislature of the said state, entitled, "An act concerning the territorial limits and jurisdiction of the state of New York, and the state of New Jersey," passed January 18th, 1833, of the one part, and Theodore Frelinghuysen, James Parker, and Lucius Q. C. Elmer, commissioners duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of the said state, entitled, "An act for the settlement of the territorial limits and jurisdiction

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between the states of New Jersey and New York," passed February 6th, 1833, of the other part.

Boundary  
line.

ARTICLE I. The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the bay of New York, of the water between Staten island and New Jersey, and of Raritan bay, to the main sea, except as herein after otherwise particularly mentioned.

Islands sub-  
ject to New  
York.

ARTICLE II. The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis' islands, and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned, and now under the jurisdiction of that state.

Hudson and  
the bay.

ARTICLE III. The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York, and of and over all the waters of Hudson river, lying west of Manhattan island, and to the south of the mouth of Spuytenduyvel creek, and of and over the lands covered by the said waters to the low water mark on the westerly or New Jersey side thereof, subject to the following rights of property and jurisdiction of the state of New Jersey, that is to say:

1. The state of New Jersey shall have the exclusive right of property in and to the land under water, lying west of the middle of the bay of New York and west of the middle of that part of the Hudson river which lies between Manhattan island and New Jersey.
2. The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks, and improvements made and to be made on the shore of the said state, and of and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the state of New York, which now exist or which may hereafter be passed.

3. The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters; *provided*, that the navigation be not obstructed or hindered.

Kill Van  
Kull.

ARTICLE IV. The state of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull, between Staten island and New Jersey, to the westernmost end of Shooter's island, in respect to such quarantine laws and laws relating to passengers as now exist, or may hereafter be passed under the authority of

that state, and for executing the same; and the said state shall also have exclusive jurisdiction, for the like purposes, of and over the waters of the sound from the westernmost end of Shooter's island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

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ARTICLE V. The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten island and New Jersey, lying south of Woodbridge creek, and of and over all the waters of Raritan bay, lying westward of a line drawn from the light-house at Prince's bay to the mouth of Matavan creek, subject to the following rights of property and jurisdiction of the state of New York, that is to say:

The sound.

1. The state of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten island.

2. The state of New York shall have the exclusive jurisdiction of and over the wharves, docks, and improvements, made and to be made on the shore of Staten island, and of and over all vessels aground on said shore or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws and laws in relation to passengers of the state of New Jersey, which now exist or which may hereafter be passed.

3. The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten island and the middle of the said waters; *provided*, that the navigation of the said waters be not obstructed or hindered.

ARTICLE VI. Criminal process issued under the authority of the state of New Jersey against any person accused of an offence committed within that state, or on board of any vessel being under the exclusive jurisdiction of that state, as aforesaid, or committed against the regulations made or to be made by that state, in relation to the fisheries mentioned in the third article; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New York, or fastened to a wharf adjoining thereto; or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

Process of  
New Jersey.

ARTICLE VII. Criminal process issued under the authority of the state of New York against any person accused of an offence

Process of  
New York.

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committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the fifth article; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure by virtue of process or authority of the state of New Jersey.

Agreement,  
when bind-  
ing.

ARTICLE VIII. This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the Congress of the United States.

Done in four parts (two of which are retained by the commissioners of New York, to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state) at the city of New York, this sixteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three, and of the Independence of the United States the fifty-eighth.

THEODORE FRELINGHUYSEN,  
JAMES PARKER,  
LUCIUS Q. C. ELMER.

B. F. BUTLER,  
PETER AUGUSTUS JAY,  
HENRY SEYMOUR.

Therefore—

Ratification  
by N. Jersey.

BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the aforesaid agreement, and every article, clause, matter, and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed on the part of the state of New Jersey.

Confirmed by New York, February 5, 1834.

Approved by the Congress of the United States, June 23, 1834.

CHAPTER 5.

JURISDICTION OF THE DELAWARE AND ITS ISLANDS.

- |                               |                            |
|-------------------------------|----------------------------|
| 1. Delaware a common highway. | 3. Annexation of islands.  |
| 2. Jurisdiction over it.      | 4. When agreement binding. |

An Act to ratify and confirm an agreement, made between commissioners appointed by the legislature of the state of Pennsylvania, and commissioners appointed by the legislature of the state of New Jersey, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same. REV. 57.

Passed May 27, 1783.

WHEREAS commissioners, duly appointed on the part of the state of Pennsylvania, and commissioners, duly appointed on the part of the state of New Jersey, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same, have executed two instruments of an agreement for the purposes aforesaid, one for each state, which agreement is contained in the following words: Preamble.

An agreement made and concluded between George Bryan, George Gray, and William Bingham, commissioners appointed by the legislature of the state of Pennsylvania for settling the jurisdiction of the river Delaware, and islands within the same, and Abraham Clark, Joseph Cooper, and Thomas Henderson, commissioners appointed by the legislature of the state of New Jersey for the like purpose. Recital of an agreement between Pennsylvania and New Jersey, respecting jurisdiction over islands in the Delaware.

WHEREAS inconveniences and mischiefs have arisen, and may hereafter arise, from the uncertainty of jurisdiction within and on the river Delaware—therefore, to prevent the same, and in order that law and justice may hereafter in all cases be executed, and take effect within and upon the said river from shore to shore, in all parts and places thereof where the same river is the boundary between the said states, the said commissioners do agree and establish, for and in behalf of their respective states, in manner following, that is to say: Preamble.

*First.* It is declared, that the river Delaware, from the station point or northwest corner of New Jersey, northerly, to the place upon the said river where the circular boundary of the state of Delaware toucheth upon the same, in the whole length and breadth thereof, is and shall continue to be and remain a common highway, equally free and open for the use, benefit, and advantage of the

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said contracting parties; *provided nevertheless*, that each of the legislatures of said states shall hold and exercise the right of regulating and guarding the fisheries on the said river Delaware annexed to their respective shores, in such manner that the said fisheries may not be unnecessarily interrupted, during the season for catching shad, by vessels riding at anchor on the fishing ground, or by persons fishing under claim of a common right on said river.

*Secondly.* That each state shall enjoy and exercise a concurrent jurisdiction within and upon the water, and not upon the dry land, between the shores of said river, but in such sort, nevertheless, that every ship and other vessel, while riding at anchor before any city or town in either state, where she hath last laded or unladed, or where it is intended she shall first thereafter either lade or unlade, shall be considered exclusively within the jurisdiction of such state; and every vessel fastened to or aground on the shore of either state, shall in like manner be considered exclusively within the jurisdiction of such state; but that all capital and other offences, trespasses, or damages, committed on said river, the juridical investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offence shall be first apprehended, arrested, or prosecuted.

*Thirdly.* That all islands, islets, and dry land within the bed and between the shores of the said river, and between the said station point, northerly, and the falls of Trenton, southerly, shall, as to jurisdiction, be hereafter deemed and considered as parts and parcels of the state to which such insulated dry land doth lie nearest at the time of making and executing this agreement; and that from said falls of Trenton to the state of Delaware, southerly, Biles' island, near Trenton, Windmill island, opposite to Philadelphia, League island, Mud or Fort island, Hog island, and Little Tinnicum islands, shall be annexed to the state of Pennsylvania, and considered as parts and parcels thereof; and that Biddle's or Newbold's island, Burlington island, Petty's islands, Redbank island, Harmanus Helm's island, Chester island, and Shiverse's island, shall be annexed to the state of New Jersey, and considered as parts and parcels thereof; and that all other islands within said river, between the falls of Trenton and the state of Delaware, which are not herein before particularly enumerated, shall be hereafter deemed and considered as parts and parcels of the state to which such island doth lie nearest, at the date hereof; and that all islands which may hereafter be formed within the said river shall be classed and annexed to the jurisdiction of either state, according to the same principle.

*Fourthly.* That this present agreement, and every article and

clause therein contained, shall be suspended and take no effect until each of the legislatures of the state of Pennsylvania and New Jersey, respectively, shall have passed laws approving of and ratifying the same; which being done, the said agreement shall then be considered as a joint compact between the said states, and the citizens thereof, respectively, and be for ever thereafter irrevocable by either of the said contracting states, without the concurrence of the other.—In witness whereof, we, the commissioners of the aforesaid states, have set our hands and seals to two instruments of the agreement, one for each state, dated this twenty-sixth day of April, Anno Domini one thousand seven hundred and eighty-three.

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ABRAHAM CLARK,	[L. S.]	GEORGE BRYAN,	[L. S.]
JOSEPH COOPER,	[L. S.]	GEORGE GRAY,	[L. S.]
THOMAS HENDERSON,	[L. S.]	WM. BINGHAM,	[L. S.]

Therefore—

BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the aforesaid agreement, and every article, clause, matter, and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed, and shall be and ever hereafter remain in force, agreeably to the true tenor and extent thereof.

The agree-  
ment con-  
firmed.

Ratified by Pennsylvania, September 20, 1783.

## CHAPTER 6.

### DIVISION OF ISLANDS IN THE DELAWARE.

1. Division of islands. | 2. Islands hereafter formed.

An Act to ratify and confirm an agreement made between the commissioners appointed by the legislature of the state of Pennsylvania, and the commissioners appointed by the legislature of the state of New Jersey, for the purpose of agreeing upon, and accurately describing which of the islands, islets, and insulated dry land, mentioned in the agreement between the two states, bearing date on the twenty-sixth day of April, seventeen hundred and eighty-three, belong to each of the said states, according to the purport of that agreement.

REV. 77.

Passed March 16, 1786.

WHEREAS commissioners duly appointed on the part of the state of Pennsylvania, and a commissioner duly appointed on the part of the state of New Jersey, for the purpose of dividing the islands

Preamble.

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in the river Delaware, between the falls of Trenton, and the station point, or northwest corner of the state of New Jersey, have executed two articles of agreement, one for each state, which is contained in the following words:

Recital of an agreement between Pennsylvania and New Jersey, respecting the division of the islands in the Delaware, from the falls at Trenton, northerly, to the station point.

An agreement made and concluded upon, between George Wall, John Okely, and Jonas Hartzell, commissioners appointed by the supreme executive council of the state of Pennsylvania, for dividing the islands and insulated dry land in the river Delaware, with the state of New Jersey, from the falls at Trenton to the station point, or northwest corner of the said state, and Moore Furman, commissioner appointed by the said state of New Jersey, for the like purpose.

Islands of Pennsylvania.

*First.* The parties aforesaid, in pursuance of the authority to them severally given, and in behalf of the respective states aforesaid, do agree, that from the said falls of Trenton, to the station point, or northwest corner of the state of New Jersey, aforesaid, the following islands, opposite to the county of Bucks, and the townships hereafter named, that is to say, opposite to the Falls township, Bird's island; opposite to Lower Makefield township, Slack's three islands, Duer's island, and Harvey's lower island; opposite to Upper Makefield township, Harvey's upper island and Lowne's island; opposite to Solebury township, Smith's island and bar, and Paxton's island and bar; opposite to Tinnicum township, Pratt's two islands, Wall's island, Resolution island, Marshall's island, Wall's two islands, Fishing island, and Pennington's island; opposite to Nockamixon township, Loughley's island; and opposite the county of Northampton, and the townships hereafter named, that is to say, Williams township, Pohatcung island, Shoemaker's island, and Loor's island; opposite to the Forks township, Easton island; opposite to Mount Bethel, Mason's island and bar, Mason's island, Foulrift island, McElhany's island, and Attin's two islands; opposite to Lower Smithfield, Handy's island and bar, Goodwin's two islands, Shawanagh, or I. and B. Van Campen's island, N. Depew's island and two bars, Chambers' island and Van Oken's island; opposite to Delaware township, Swartwood's island and Isaac Van Campen's island; opposite Upper Smithfield township, Punkey's island and five bars, shall be annexed to the state of Pennsylvania, and considered as parts and parcels thereof.

Islands of New Jersey.

And that the following islands, opposite to the county of Hunterdon, in the state of New Jersey, and the townships hereafter named, that is to say, opposite to the township of Trenton, Yard's island, Mott's two islands, and Gould's two islands; opposite to the town-

ship of Hopewell, Stout's island; opposite to the township of Amwell, Smith's Mill island, Coryell's island, Holecombe's two islands, Eagle island, and Bull's island; opposite to the township of Kingwood, Rush island, Ridge's island, Shyhawk's three islands, Pinkerton's island, and Man-of-war island; opposite to the township of Alexandria, Stull's island, Lowrey's island, and Loughley's island and bar; and opposite to the county of Sussex, and the townships hereafter named, that is to say, opposite to the township of Greenwich, Rope's island, Champman's island, Stout's island and bar, and Bar island; opposite to the township of Oxford, Capush island, Foulrft island, and Mack's island; opposite to the township of Knowlton, Mack's island and three bars, and Gap island; opposite to the township of Walpack, Hoops' two islands, Chambers' island, A. Van Campen's fishing island, Opaughanaugh island, and Necesses island; opposite to the township of Sandyston, Nominack island, and Westfall's island; opposite to the township of Montague, Minisink island, Quick's two islands and bar, Shabbacung great island and bar, and Westfall's two islands, shall be annexed to the state of New Jersey, and hereafter be considered as parts and parcels thereof, agreeably to a map or chart of the said river, and description of the several islands and insulated dry land therein, made under our direction, by Mr. Reading Howell, surveyor, and herewith exhibited to each state.

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*Secondly.* That all other islands which may hereafter be formed within said river, between the falls of Trenton and the station point, or northwest corner of the state of New Jersey aforesaid, shall hereafter be deemed and considered as parts and parcels of the state to which such islands may be nearest.—*In witness whereof*, we, the commissioners of the states aforesaid, have set our hands and seals to two instruments of writing, one for each state, dated this second day of December, Anno Domini one thousand seven hundred and eighty-five.

Islands here-  
after formed.

GEORGE WALL,	[L. S.]	JONAS HARTZELL, [L. S.]
JOHN OKELY,	[L. S.]	MOORE FURMAN, [L. S.]

Therefore—

BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the aforesaid agreement, and every article, clause, matter, and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed, and shall be and ever hereafter remain in force, agreeably to the true tenor and extent thereof.

The agree-  
ment con-  
firmed.