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EAST JERSEY

UNDER

THE PROPRIETARY GOVERNMENTS :

A

NARRATIVE OF EVENTS CONNECTED WITH THE SETTLEMENT
AND PROGRESS OF THE PROVINCE, UNTIL THE
SURRENDER OF THE GOVERNMENT
TO THE CROWN IN
1702.

DRAWN PRINCIPALLY FROM ORIGINAL SOURCES.

—
ded
BY WILLIAM A. WHITEHEAD.
—

WITH
AN APPENDIX,

CONTAINING

"THE MODEL OF THE GOVERNMENT OF EAST NEW-JERSEY, IN AMERICA,"
BY GEORGE SCOT, OF PITLOCHIE.
NOW FIRST REPRINTED FROM THE ORIGINAL EDITION OF 1685.

—
PUBLISHED BY THE
NEW-JERSEY HISTORICAL SOCIETY.

1846.

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P R E F A C E .

THE following work was undertaken by the Author solely for his own use while prosecuting inquiries relating to a portion of East Jersey; the fact becoming soon apparent that the general histories of Smith and Gordon, and other works referring to New Jersey, did not contain that minute information which seemed necessary for the proper elucidation of many important periods in our early history. As its title indicates, it is a simple narration of events, bearing upon the settlement and growth of the province of East Jersey, which for the most of the time previous to 1702, not only had a different government, but in almost every other respect was separate and distinct from West Jersey. It is submitted to the public, at the request of the New Jersey Historical Society, rather as furnishing materials for history, than as being in itself complete.

“The popular historian”—remarks a modern writer*

* J. D'Israeli.

—“composes a plausible rather than an accurate tale ; researches too fully detailed would injure the just proportions, or crowd the bold design of the elegant narrative ; and facts, presented as they occurred, would not adapt themselves to those theoretical writers of history who arrange events not in a natural but systematic order.” And he truly adds, that “he who *only* views things in masses will have no distinct notion of any one particular.” The general historian must gather his facts from the details of local annals, and in proportion as they are wanting must his labors be imperfect. In New Jersey researches of that kind have been few, and the Author, in consequence, has retained many dates and minor circumstances connected with the settlement of the several towns which would otherwise have been excluded ; thereby, probably, marring the interest of his book to the general reader by giving it too precise a character, but contributing he trusts to its value in the estimation of the student of our history. The dates are generally given in accordance with the present mode of commencing the year with the first of January,—any deviation from the rule being noticed.

The Author has endeavored to give his authority for every assertion of importance, and no known work connected with the subject of his researches has been left unexamined. The Proprietary Records of the Eastern Division, in the Register’s Office at Perth Amboy, have been critically gone through, and all the valuable information they contain has been secured. The

Colonial Records of New York have also been inspected, and many papers of importance obtained which were never before used in the illustration of our history; the thorough examination of foreign archives, and the judicious selection of documents by her historical agent,* having recently placed that State in possession of an almost uninterrupted series, from the settlement of the New Netherlands to the War of Independence. The Author is not aware of any source whence additional light can be thrown upon the events to which his narrative refers, unless the archives of England should contain other information respecting the proprietary governments than has yet been procured; which may be the case, although it will not probably be found voluminous. He is apprehensive that the historical treasures referring to New Jersey, there deposited, are principally of dates subsequent to the period he has had under review.

The republication of the "Model of the Government of East New Jersey" was deemed advisable from its great rarity; it never having been reprinted. The efficient aid it rendered in inducing emigration to the province, and its making known the actual condition of many of the early settlers in their own language, give to it especial interest.

To avoid misconceptions, it is proper to state, that extracts from the manuscript of this work appeared

* John Romeyn Brodhead.

some years since in a series of articles prepared for the Newark Daily Advertiser, and became in that way, although in an imperfect form, available to others.

Newark, New Jersey,
January, 1846.

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ERRATA.

- Page 11, line 2, for "renewing" read *receiving*.
Page 24, line 24, for "Reymont," read *Roymont*.
Page 33, line 8, for "grantees," read *grantors*.
Page 46, line 15, for "Peirson," read *Pierson*.
Page 59, line 11, for "1672," read 1672-3.
Page 6, Note, for "Kieth," read *Keith*.
Page 88, line 8, for "Broeme," read *Groome*.
Page 93, line 14, for "1664," read 1665.
Page 187, line 33, before "honored," insert "
Page 211, line 22, for "in," read *on*.
Page 251, line 28, for "cos," read *eos*.
Page 251, line 29, for "palane," read *palam*.

On the Map of New Jersey *Pavonia* is improperly given as "Parooia," and its location should have been that covered by "Niew Amsterdam."

At the top of the Map of East Jersey, for "Greant Fall," read *Great Falls*.

EAST JERSEY

UNDER

THE PROPRIETARY GOVERNMENTS.

PERIOD I.

FROM THE DISCOVERY OF THE COUNTRY, UNTIL ITS
SURRENDER TO THE ENGLISH.

1609—1664.

SEBASTIAN CABOT in 1498, sailing under the flag of England; John Verrazzano in 1523, under the flag of France; and Stephen Gomez in 1524-5, under that of Spain; each coasted the American Continent in those degrees of latitude which include, what are now, the shores of New Jersey, and probably Verrazzano held some intercourse with the natives;¹ but nothing resulted

¹It is presumed the following portion of Verrazzano's letter to Francis I. refers to his visit to our waters. "We found a very pleasant situation among some steep hills, through which a very large river, deep at its mouth, forced its way to the sea: from the sea to the estuary of the river any ship heavily laden might pass without the help of the tide, which rises eight feet. But as we were riding

at anchor in a good berth, we would not venture up in our vessel without a knowledge of the mouth; therefore we took the boat, and entering the river we found the country on its banks well peopled, the inhabitants not differing much from the others, being dressed out with the feathers of birds of various colors. They came towards us with evident delight, raising loud shouts of admiration,

from these voyages towards either the settlement of the country, or the investigation of its resources. Notwithstanding, therefore, the visits of these navigators, to Henry Hudson may properly be ascribed the honor of first discovering this section of the continent, although nearly a century later in his explorations; as through him a comparatively perfect knowledge of it was first conveyed to the inhabitants of Europe.

It was on the afternoon of Thursday, September 3d, 1609, that the eyes of the natives, then inhabiting the shores of Sandy Hook, were directed in wonder and admiration towards an European vessel entering the bay from the broad expanse of ocean which constituted the eastern boundary of their world. Uncertain were they at first whether what they beheld was a monster of the deep, or an apparition from the world of spirits, but as the mysterious object drew nearer, they were led finally to regard it as a mighty canoe under the guidance of the Great Spirit, and navigated by inferior divinities.² We are told of the despatch of runners, a convention of sachems, and the reception of their presumed celestial visit-

and showing us where we could most securely land with our boat. We passed up this river about half a league, when we found it formed a most beautiful lake, three leagues in circuit, upon which they were rowing thirty or more of their small boats from one shore to the other, filled with multitudes who came to see us. All of a sudden, as is wont to happen to navigators, a violent contrary wind blew in from the sea, and forced us to return to our ship, greatly regretting to leave this region, which seemed so commodious and delightful, and which we supposed must also contain great riches, as the hills showed many indications of minerals."

Cogswell's Translation, N. Y. Hist. Coll. 2d Series, Vol. I. p. 45. There is an older translation from Hackluyt, somewhat different, in the Society's first vol. p. 52.

² Vanderdonk, who wrote in 1650, and had seen and conversed with Indians living at the time of Hudson's arrival, states that they had no knowledge of any previous visit of the white men. As 85 or 86 years had elapsed since Verrazzano's voyage, it is possible that in the wanderings of different tribes, all knowledge of the intercourse had with him may have been lost.—N. Y. Hist. Coll. 2d Series, Vol. I.

ant with propitiatory offerings, which, though the authority for them be tradition, wear sufficiently the semblance of truth to be adopted by the historian as probable occurrences.³

The vessel, whose arrival thus marked the day as one to be remembered, was the "Half Moon."⁴ Her enterprising commander,—an Englishman by birth, but then in the service of the Dutch East India Company—had, in two previous voyages of discovery, added considerably to the geographical knowledge of the northern regions of the continent; and in the voyage which we are now considering, had coasted our shores from the 44th degree north to Chesapeake bay: anchoring in our waters on his return northward.

The journal of the voyage⁵ gives a detailed account of the discoveries made, the intercourse had with the natives, and the other circumstances attending the exploration of the bay and harbor of New York, and of that "great river," as it was called by Hudson, which now bears his name.

A boat despatched up the bay, for the purpose of

³ See a tradition of the Delawares, in the N. Y. Hist. Coll. 2d Series, Vol. I. page 71, communicated by Rev. John Heckewelder, of Pennsylvania, and believed by him to be as authentic as any of the Indian traditions. He had it directly from them. It is added, that in return for their civilities the natives were made to taste of intoxicating liquors, and that to commemorate the event, they called the island thereafter "Mannahattinink," the place of drunkenness or madness from drinking. Mr. Schoolcraft, however, in a report on aboriginal names to the New York Histor. Society, (see Transactions of 1844,) asserts this to be

"a sheer inference unsupported by philology," and gives as the correct name of the island, *Mon-a-ton* or *Mon-ah-tan-uk*, descriptive of the whirlpool of Hellgate. The council referred to was held on the southern termination of the island.

⁴ So called by every writer but Bancroft, who dignifies her by styling her the "Crescent." She is called in one of the books of the Company seen by Mr. Brodhead, the "Halve-Maan;" she was of 80 tons burthen.

⁵ The journal is by Hudson's mate, *Juet*, and is reprinted from Hackluyt in N. Y. Hist. Coll. Vol. I. 1st Series, and Vol. I. 2d Series.

sounding the channel and examining the country,⁶ having returned with intelligence that there was abundance of water, that the lands were "pleasant with grass and flowers and goodly trees as ever they had seen," and that "very sweet smells came from them," preparations were made, and on the 10th of September, Hudson weighed his anchor with the intention of ascending what we now know as 'The Narrows;' but, impeded, as his progress necessarily was, by the measures of precaution required in the navigation of strange waters, he did not enter the river until the 12th, and not before the 20th did he attain a point somewhat above the present location of the city bearing his name, whence a boat was sent, that, it is supposed, ascended the river as high as the present site of Albany.⁷ On the 23d of the month, the descent of the river was commenced; its mouth was reached on the 4th of October, and Hudson proceeded directly to sea.⁸

The natives of what is now Monmouth county, New Jersey, went on board of Hudson's vessel without hesitation, soon after his arrival, and seem to have been

⁶ It is probable this sounding party penetrated as far as Newark bay. The Journal states, that they arrived at "a narrow river to the westward, between two islands," understood to be *the Kills*; and then it is added, "*so they went in two leagues, and saw an open sea, and returned.*"

⁷ Dr. Miller's Address, N. Y. Hist. Coll. Vol. I. J. R. Brodhead's Address before Hist. Soc. Nov. 20, 1844.

⁸ Mr. Folsom, in a note to the Journal (N. Y. Hist. Coll. 2d Series, Vol. I. p. 331), expresses an opinion that Hudson returned to sea through the sound separ-

ating Staten Island from New Jersey; but it is evident he went out the way he came in. The mate says, "Within a while after [coming out of the river], we came out also of *the great mouth of the great river that runneth up to the northwest*, burrowing upon the more northern side of the same," &c. Now *the Kills* had already been designated as "a narrow river to the westward," and, moreover, *on the same day before twelve o'clock* they were outside of Sandy Hook, which they certainly could not have been, had they sailed around Staten Island, as Mr. Folsom suggests.

pleased with what they beheld. They were civil in their deportment, and disposed to exchange such products of the country as they had for knives, beads, and articles of clothing. They were 'well dressed in deer skinnes,' some in 'mantles of feathers,' and others in 'skinnes of divers sorts of good fures;' 'they had red copper tobacco pipes,' and wore other ornaments of copper around their necks.

The journal states that a party from the ship on landing, "saw great store of men, women and children, who gave them tobacco at their coming on land. So they went up into the woods, and saw great store of very goodly oakes, and some currants,⁹ for one of them came aboard and brought some dried, which were sweet and good. Some women also came with hemp." Grapes, pumpkins, beaver and otter skins, oysters, Indian-wheat and beans, are also mentioned in the course of the journal as being in abundance, and affording the means for a profitable traffic; the smallest trifles being received by the natives in exchange.

On Hudson's homeward voyage, some mutinous Englishmen among his crew obliged him to put into Dartmouth, whence intelligence of his discoveries was conveyed to the king. James, opposed to every thing that could advance the commercial prosperity of Holland, caused Hudson to be detained under some pretence; but his vessel was subsequently released, and continued on her voyage to Amsterdam;¹⁰ and in 1610, some merchants

⁹ Probably whortleberries; as they are in other early accounts described as a fruit resembling currants.

¹⁰ Lambrechtsen's *New Netherlands*, N. Y. *Histor. Collect.* 2d Series, Vol. I.

Brodhead's *Address*, pp. 14, 15. There can be no doubt that this detention of Hudson was the true cause of his leaving the employment of the Dutch, although there are several other reasons

of that city sent out a ship to profit by Hudson's discoveries, by engaging in the fur trade with the natives, which led to the erection of trading-houses at Manhattan Island, and at the present site of Albany.¹¹

These establishments of the Dutch, although probably not made at first with any permanent designs, conflicting as they did with the sovereignty claimed by England by virtue of Sebastian Cabot's discoveries in 1498, were not unheeded by the representatives of that power in America. Captain Samuel Argall, of Virginia, returning from an expedition against Acadia, undertaken for the purpose of dispossessing the French, visited the settlement at the mouth of the Hudson in November or December, 1613, and obliged the inhabitants to recognize the authority of his sovereign, contribute towards the payment of his expenses, and also to agree to pay a stipulated sum regularly to the governor of Virginia, under whom he was acting.¹² But this submission seems to have been thrown off the following year, and further contributions to the coffers of the Virginia colony refused, on the arrival of Hendrick Christianse,¹³ under a charter

assigned. Hudson sailed from England in 1610, on a voyage to the northern seas, and met a horrible fate; being abandoned in that inhospitable region by his mutinous crew.

¹¹ De Laet. Lambrechtsen in N. Y. Hist. Coll. 2d Series, Vol. I. Various authors, as if the love of gain were not a sufficient inducement for this and subsequent voyages, have attributed this expedition to a purchase made of Hudson of his right as discoverer. (*Vide* Dr. Miller's Address. Harris's Coll. II. p. 280, &c.) It is generally conceded now, however, that there is no foundation for the story. Moulton's N. Y. Part 2, p. 336.

¹² Plantagenet's New Albion, 1648. Moulton's N. Y., I., Part 2, pp. 348, 349, note. A difference of opinion has existed as to the time of this expedition; but the date above given is without doubt correct. See a paper by Mr. Folsom in N. Y. Hist. Coll. 2d Series, Vol. I.

¹³ Heylin's Cosmography, Part 2, p. 3. Stith's Virginia, p. 133, quoted by Mr. Folsom; and see Moulton, who discusses the events of this early period in a very critical manner. The arguments for a longer continued submission to the English appear to be drawn from insufficient data. It is true that Oldmixon, Ogilby, and others, mention that permission was

obtained from the States-General, April 17, 1614, granting to a company of merchants the exclusive right to make four voyages to the newly-discovered lands.¹⁴ Christianse more perfectly explored Long Island Sound, with the shores of Rhode Island and Connecticut; and by the erection of forts at Manhattan Island and Albany, the settlers considered themselves secure and confirmed in their possessions; and although complaints were subsequently made, through the minister of Charles I. at the Hague, of the disregard thus shown of the rights and authority of the king, yet no satisfaction was obtained, other than a disavowal on the part of the States-General of any participation in the proceedings of the merchants' company.¹⁵

obtained from King James (as late as 1620) by the Dutch Company, to erect some cottages here, for the convenience of their ships touching for water and provisions on their way to Brazil; and Smith, in his Hist. of New York, goes so far as to locate them on Staten Island; but Lanbrechtsen, Moulton, and others, prove that there is no truth in these statements. The author conceived the greatest difficulty to be the fact (as stated by Plantagenet) that Virginia complained not of the re-assumption of their independence of her before 1625, after the accession of Charles I., until an inspection of the New York papers, recently placed within reach of the historian by the researches of Mr. Brodhead in the English archives, was afforded him. From then it appears that a complaint was made by the Privy Council, through Sir Dudley Carleton, ambassador at the Hague, under date of Dec. 15, 1621, of the settlement of the Dutch at New York *the year previous*; and his answer, dated the following February 5th,

conveys the information, that, although vessels had visited the country, he could not ascertain that any settlement had been effected. So little were the mother countries acquainted with the true position of their American colonies; and hence the apathy of the English government, which previously seemed unaccountable. Under date April 2, 1632, Capt. John Mason informs Mr. Secretary Coke, that the Dutch Minister, in answer apparently to a subsequent complaint, had disclaimed any participation by the United Provinces in the proceedings of the merchants. As late as 20th March, 1634-5, on the appearance of a Dutch vessel at Cowes, bound to Hudson river, an order was issued *not to stop the vessel*, but to prevent the embarkation of any Englishmen on board of her.

¹⁴ Brodhead's Address, p. 16.

¹⁵ Plantagenet's description of New Albion. N. Y. Colonial Records. Brodhead's Address, pp. 24, 25.

The wars and internal commotions of England, or the apparently trivial import of the transaction as then considered, may have caused the indifference which seems to have been manifested at the continued occupation of the Dutch. The only measure adopted to effect their removal, was the issuing of a grant to Sir Edmund Ploeden for the lands they occupied.

This grant was dated June 21st, 1634, and conferred upon Sir Edmund and his associates the country between Cape May and Long Island Sound, extending forty leagues inland. This tract was erected into a free county palatine by the name of New Albion, and over it, with the title of "Earl Palatine," was Sir Edmund made governor; he having, as it is stated,—although the fact may well be doubted,—“amply and copiously peopled the same with five hundred persons.”¹⁶ He, however, visited

¹⁶ See the grant at length, in Hazard's Collection of State Papers, Vol. I. p. 160. The bounds were as follows: "All that entire island, near the Continent or Terra Firma of *North Virginia*, called the Isle of *Ploeden*, or *Long Island*, and lying near or between the thirty-ninth and fortieth degrees of north latitude, together with part of the Continent, or Terra Firma aforesaid, near adjoining; described to begin from the point of an angle of a certain promontory called *Cape May*, and from thence to the westward for the space of *forty leagues*, running by the river *Delaware*, and closely following its course by the north latitude unto a certain rivulet there, arising from a spring of the Lord Baltimore's in the lands of *Maryland*, and the summit aforesaid to the south, where it touches, joins, and determines in all its breadth; from thence takes its course into a square

leading to the north by a right line for the space of forty leagues, and from thence, likewise by a square, indining towards the east in a right line, for the space of forty leagues, to the river and part of *Reacher Cod*, and descends to a savannah, touching and including the top of *Sandheey*, where it determines; and from thence towards the south by a square, stretching to a savannah which passes by and washes the shore of the island of *Ploeden* aforesaid to the point of the promontory of *Cape May* above mentioned, and terminates where it began." Hazard was indebted to a pamphlet mentioned in a following note for this grant. As governor, Sir Edmund was invested with powers and privileges similar to those employed by other palatines in England or America which were certainly sufficiently ample to satisfy the most ambitious potentate.

his province, and resided therein seven years, exercising, it is said, his office as governor; but, although he may have assumed, on paper, his rights as lord of the soil, by granting to various individuals large tracts of land,¹⁷ it is doubted that his authority was ever established over the few inhabitants that then dwelt within the limits of his domain, excepting those who may have come over with him.¹⁸

The only result of his presence and schemes, so far as the Dutch were affected, was an offer to dispose of their claim and improvements for £2,500; which not being accepted, they raised their demand to £7,000, and finally, became indifferent to any compromise, their establishment in the country having become too permanently fixed to be easily broken up;¹⁹ for the States-General

¹⁷ Plantagenet's *New Albion*, p. 24. Hazard's *State Papers*, pp. 169, 170. Hazard gives one of these grants at length, and states that many other deeds concerning Albion are registered in St. Mary's, Maryland.

¹⁸ We find Plantagenet, in 1648, complaining of the settlements of the Swedes and Dutch within New Albion, and the adherence of the English settlers to them rather than to the authority of the Earl Palatine. It is presumed that the small settlement of English near Salem, broken up by the Swedes and Dutch in 1641, comprised all the "subjects" the earl had in the province. Winthrop, in his *Journal* [II. 325], mentions the arrival at Boston in 1648 of Sir Edmund Ployden from *Virginia*, having, through the want of a pilot, entered the Chesapeake instead of the Delaware; and Mr. Bancroft (II. 296, 10th edit.), upon this passage of Winthrop's, asserts that Ployden's people "were absorbed in the happy province of Virginia;" and yet

he adds, "He was never able to dispossess the Swedes." Were there any Swedes in Virginia? To answer some end of his own, Ployden may have reported himself from Virginia; but there seems to be little ground for doubt of his having been at one period in the Delaware, and there is certainly no proof of more than one voyage to America by him.

¹⁹ All that can now be gathered of the projects of Sir Edmund Ployden is contained in the pamphlet, which has been quoted, entitled "A Description of the Province of New Albion, and a Direction for Adventurers with small stock to get two for one, and good land freely: And for Gentlemen, and all Servants, Labourers and Artificers, to live plentifully, &c. &c. Printed in the year 1648." This pamphlet purports to be the production of "Beauchamp Plantagenet of Belvil, in New Albion, Esquire, one of the Company," whose manor of Belvil—"containing 10,000 acres, on a navigable river, having in it and near, Alabaster, Terras

having in 1621 granted a charter to those engaged in traffic with the New World, under the name of the "West India Company," the condition of the settlements on the Hudson was thereby materially improved; the result, previously, having fallen far short of the anticipations excited by the discovery of the country.²⁰

for plaister of Paris, Pudding and Slatstone, store of Timber, clear Fields, Meads and Woods, and no *Indians* near, and Vines"—he had obtained under the province seal. It is dedicated "To the right honourable and mighty Lord *Edmund*, by Divine Providence Lord *Proprietor*, Earl *Palatine*, Governour and Captain-General of the Province of *New Albion*; and to the Right Honourable the Lord Vicount *Monson* of *Castlemain*, the Lord *Sherard* Baron of *Letrim*: and to all others the Vicounts, Barons, Baronets, Knights, Gentlemen, Merchants, Adventurers and Planters, of the hopeful Company of *New Albion*; in all, 44 undertakers and subscribers, bound by Indenture to bring and settle 3000 able trained men in our said severall Plantations in the said Province."

The object of the publication (which embodies two previously made in 1637 and 1642,) was to induce emigration; and it is evident from its pages that although the charter had been obtained fourteen years before, very little progress had been made in adding to the population of New Albion. It is written in such a bombastic style, and for the most part, with such an entire freedom from intelligibility, that it is a difficult matter to draw the line between truth and fiction in its contents. As late as 1784-85, one Charles Vallo came to America as agent for the then Earl of Ployden, and put forth a pamphlet of thirty pages, containing the grant from Charles I., and

two other documents, which Hazard deemed sufficiently authentic to be introduced into his Collection. Mr. John Pennington, of Philadelphia, however, in an ingeniously constructed article, contained in the memoirs of the Pennsylvania Hist. Soc. [Vol. IV. Part I.], endeavors to cast discredit upon all the statements of Plantagenet and the documents of Vallo; advancing enough of argument to render the question debatable, without satisfactorily determining the facts of the case. Only two copies of Vallo's pamphlet are known to exist; one, consulted by Mr. Pennington, which was in the possession of Vallo's legal adviser, the late Wm. Rawle, Esq., and the other, to which the author has had access, in the library of the Misses Rutherford, near Newark.

The only copy of Plantagenet's pamphlet in America is in the Philadelphia Library. It was reprinted in 1837 by Peter Force of Washington, to whom American History is under many obligations. For the best *narrative* of Ployden's attempt at settlement which the author has seen, the reader is referred to Mickle's "Reminiscences of Old Gloucester." More or less of conjecture must be exercised, however, in all endeavors to clothe his project with the garb of history. The author has given in the text only such particulars as he considered well established.

²⁰ Lambrechtsen, De Laet. Brodhead's Address.

But the newly chartered company did not confine its settlements to the Hudson. Immediately after renewing the charter, a number of settlers were sent out under Cornelius Jacobus Mey, to establish themselves on Delaware river. Mey coasted the continent as far north as Cape Cod; gave the name of "Port Mey" to New York bay;²¹ to Delaware bay, that of "New Port Mey," to its northern cape also the name of "Mey;" and his christian name, "Cornelius," to its southern cape.²² He built a fort for the protection of the colonists a few miles below the present city of Camden, and during some years, additions were made to their number, and the settlement prospered; but in the latter part of 1632, the hostility of the natives led to the death of so many persons, that the survivors were discouraged, and returned to Holland, leaving the Delaware once more in the undisturbed possession of the original inhabitants.²³

At what period the Swedes first arrived at the Delaware, is somewhat uncertain. It is probable, however, that it was not until 1633, although the project had been broached, and considerable attention bestowed upon it, prior to the death of Gustavus Adolphus, in 1632.²⁴

Notwithstanding a remonstrance from the Dutch Governor at New Amsterdam, forts and settlements were

²¹ This was called, at one time, "Godyn's Port," after another Dutch navigator and landholder.

²² Watson's Philadelphia Annals. Gordon's N. J. Cape Henlopen, farther south, was named after a navigator called *Jelmer Hinlopen*.

²³ Gordon's New Jersey, p. 9.

²⁴ Gordon's New Jersey, 10, 11. This work contains a full, yet succinct account of the history of this period, compiled with care and accuracy, so far as

the materials then known would allow; but the New York Colonial Documents, obtained from Holland, have placed new materials at the disposal of the historian. Plantagenet (reprint, p. 19), writing in 1648, accuses the Dutch of having, *eight years* before, introduced the Swedes themselves, by landing forty Swedish soldiers in Delaware bay, brought from the West Indies; and, see Mickle's Reminiscences, p. 6.

established at different points ; but the scope of our present inquiries renders unnecessary any particular examination of the history of the colony. Although themselves at variance, the Dutch and Swedes, about 1641, united to break up a small settlement of English, located near the present site of Salem, which, with one or two other companies, subsequently dispossessed, it is presumed, constituted the whole of Sir Edmund Ployden's colony ; and the removal of their common enemy thus effected, they were left at full liberty to cultivate their mutual ill will. Encroachments by both parties led, finally, to an expedition from New York, in September, 1655, under Governor Stuyvesant, which resulted in the complete overthrow of the Swedish power, without the shedding of blood.

The authority of the Dutch was thus established over the entire country, between Delaware bay and New England, which had previously received from them the title of Nova Belgia or New Netherlands. The Governors, ruling in the name of " Their High Mightinesses the States-General and the privileged West India Company," resided at New Amsterdam, and Lieutenant-Governors administered the affairs of the settlements on Delaware river, which were for a long time known as the " three lower counties."

The description given of the New Netherlands, (or New Albion, as it was called by the English,) emanating, as they did, from those who were interested in the soil, have to be received with some caution. It was to be presumed, that many of the inhabitants of the old world, although they might be suffering oppression, persecution, and poverty, required some assurances and inducements to bring them to the wilds of

America other than the mere escape from the evils under which they labored. Writers were, consequently, well disposed to adopt exaggerated statements, or draw upon their imaginations for facts, that might people the country with those who looked for an increase of prosperity and happiness. Every thing was made to wear the brightest aspect; advantages were magnified, and evils slightly touched upon, or placed entirely out of view; the sober truths of reality affording frequently but a slight foundation for the massive superstructures built upon them.

“If there be any terrestrial happiness,” says one, “to be had by any people, especially of an inferior rank, it must certainly be here.” And he expatiates upon the abundance of land, and the ease with which it can be obtained.²⁵ Another describes the country as “full of stately oaks, whose broad-branched tops serve for no other use but to keep off the sun’s heat from the wild beasts of the wilderness: where is grass as high as a man’s middle, which serves for no other end except to maintain the elks and deer, who never devour a hundredth part of it, then to be burnt every spring to make way for more. How many poor people in the world would think themselves happy had they an acre or two of land, whilst here is hundreds, nay, thousands of acres that would invite inhabitants.” The woods are represented as “furnished with fresh ponds, brooks, or rivers, where all sorts of cattle, during the heat of the day, do quench their thirst and cool themselves;” their surface being overshadowed by intermingling boughs and tendrils of trees and vines that ornamented their banks.

²⁵ Quoted in Ogilby’s *America*, p. 182, without credit, from Denton’s *New York*, 1670. As the extract very well illustrates the character of these descriptions, it is given entire in Note A, appended to this volume.

All kinds of wild beasts and fowl abounded, and accounts are given of some of them, rivalling the fabulous tales of antiquity. Man had an interest in them all, for he could hunt them at pleasure, and furnish his house with "excellent fat venison, turkies, geese, heath-hens, cranes, swans, ducks, pigeons, and the like;" and when wearied with hunting, he might supply himself with an equal abundance of fish. Want and sickness were unknown. Several kinds of fruits introduced from Europe are said to thrive better than in their native soil; and the wild fruits of the country were in great profusion.²⁶

New Albion is said to be "scituate in the best and same temper, and as Italy, between too cold Germany and too hot Barbary: so, this lying just midway between New England, 200 miles North, and Virginia, 150 miles South, is freed from the extreme cold and barrenness of the one, and heat and aguish Marshes of the other, and is like Lombardy, and a rich, fat soil, plain, and having 34 rivers on the main land, 17 great Isles, and partaketh of the healthiest aire and most excellent commodities of Europe." Some of these are specified, such as ship timber of different kinds, mulberries, sweet cypress, and other woods, four sorts of grapes, and "the greatest variety of choice fruits;" among those enumerated being "wild cherries, pine apples (or some fruit which they chose thus to designate), and "the dainty parsimenas" [persimmon]. The country is said to be stored with all kinds of corn, silk-grass, salt, good wines, and dyers' ware; the uplands being covered many months with berries, roots, chesnuts and walnuts; and the "many

²⁶ Ogilby, 180-182. Part of the language, however, is that of Denton's, who was evidently Ogilby's authority.

fair risings and prospects all green and verdant," are dwelt upon in the true spirit of a lover of nature.²⁷

Staten Island is said to "contain tin, and store of iron ore, and the calamine stone." "On the north side of this island," says Ogilby, "*after Skull River*²⁸ puts into the main land, on the west side whereof there are two or three towns, but on the east side but one.²⁹ There are very great marshes or meadows on both sides of it, excellent good land, and good convenience for the settling of several towns. There grows black walnut and locust as there doth in Virginia, with mighty tall straight timber, as good as in the north of America."

"Both sides of the Raritan," it is said, "are adorned with spacious meadows, enough to feed thousands of cattle. The woodland is very good for corn, and stored with wild beasts, as deer, elks, and an innumerable multitude of fowl, as in other parts of the country. This river is thought very capable for the erecting of several towns and villages on each side of it; no place in the north of America having better convenience for the maintaining of all sorts of cattle for winter and summer food. Upon this river is no town settled, only one at the mouth of it; but next to it westward [eastward?], is a place

²⁷ Description of New Albion (reprint), p. 20.

²⁸ The towns in New Jersey, when referred to in the Dutch Records, are designated as "Achter Kol," translated by Vanderkemp, "*Behind Kol*," or back of the kill separating Staten Island from the main land. The river referred to by Ogilby is presumed to be the brook dividing the townships of Newark and Elizabethtown, or the Passaic; for on reference to the early maps of the country, a stream so situated is called "Achter Kol,"

for the same reason, probably, that the towns were so called, and not as a distinctive appellation. The name, corrupted to "Arthur Kull," is now borne by the sound between New Jersey and Staten Island.

²⁹ Ogilby's book was printed in 1671; these towns may have been *Newark* and *Elizabethtown*, on the west, and *Bergen*, on the east. The one afterwards mentioned, as at the mouth of the Raritan river, was probably *Woodbridge*.

called Newasons,³⁰ where are two or three towns and villages settled upon the sea-side, but none betwixt that and Delaware bay, which is about sixty miles; all which is a rich champagne country, free from stones and indifferent level, having store of excellent good timber, and very well watered, having brooks or rivers, ordinarily one or more, in every mile's travel. This country is peopled only with wild beasts, as deer, elks, bears, and other creatures, so that in a whole day's journey, you shall meet with no inhabitants except a few Indians." These are represented as exceedingly hospitable; affording the traveller the best entertainment in their power.³¹

Plantations on the western side of the bay were soon established, after the settlement of the Dutch at New Amsterdam. The first village was Bergen, commenced about the year 1618; but for some time thereafter probably a mere trading-place for the Indians. The village was formed of the houses of the surrounding planters, placed near each other for mutual protection, while their farms were scattered through the adjoining country.³² Still, in that section of the state are numerous descendants of the race that thus first entered upon the cultivation of the wilderness, occupying the same grounds,

³⁰ *Newasons*, intended, probably, for Navesink: and the settlements, the embryo towns of Shrewsbury, Middletown, &c.

³¹ Denton's Description of New York, 1670.

³² Moulton's N. Y., Part 1, p. 347, and note. Smith's N. J. p. 61; a few Norwegians or Danes are thought by Smith to have been concerned with the Dutch in the original settlement: the name of Bergen being derived from the capital of Norway; but this may have been con-

jecture, as asserted by Bancroft. The village received its first sheriff in 1661; and a "Subaltern Bench of Justice" was then established, composed of that officer and two schepins. Steps were taken that year also for the erection of a *saw mill*; and in 1662, a well was ordered to be dug, and 417 guilders subscribed towards the erection of a church. In 1664 a blockhouse was ordered to be built. Albany Records, Vol. XIX, 273, 275, to 282, 370. Vol. XX. pp. 50, 280. Vol. XXII.

and possessing many of the peculiarities of habits and character which marked their ancestors.

To excite individual enterprise and induce emigration to the New Netherlands, the West India Company made grants of large tracts of land to such persons as would stipulate to establish colonies upon them within a certain time. Among these "Patroons," as they were styled, was Michael Pauw,³³ who purchased Matanucke, now Staten Island, from the Indians, by deed, dated August 10th, 1630,³⁴ and also secured an interest, subsequently, in the lands along the western shore of the bay; a tract, which from him took the name of Pavonia at an early period, but by which it has long ceased to be distinguished.³⁵ From the position assigned to it in the

³³ Dunlap, in his Hist. of N. York, suggests that the little village "Communi-paw," on New York bay, which retains many of the primitive characteristics of the Dutch, may have owed its name to the junction of the words *Commune* and *Pauw*—indicating the commune or community established by the patroon; but the word is more probably an Indian one, for in the East Jersey Records, when first noticed, the place is called "Gamounepan," and "Comounepan." The termination *pau* is probably of modern origin.

³⁴ Elizabethtown Bill in Chancery, 5. Moulton, [Vol. I. p. 402,] quoting "Dutch Records, Book G. G.," says this deed was dated July 15th, 1631. The Bill in Chancery quotes "Dutch Records, A, p. 6." Probably the date given by Moulton is that of the confirmation of the purchase by the Director-General and Council. The island, however, must soon have reverted to the Company, or the purchase have been made for them;

for De Vries, in his Journal, under date of Aug. 13th, 1636, says, "I requested Wouter Van Twiller to put down Staten Island to my name, intending to found a colony there, which was granted." He founded the colony in January, 1639; but in September, 1641, his people were killed by the Indians, and the settlement broken up. Schoolcraft gives *Manochnong* as the true Indian name of Staten Island.

³⁵ Moulton [p. 402, Vol. I.] quoting the same authority as above, gives as the limits of this grant, "*Ahasimus*, and the island *Hoeren Hoeck*, stretching along the river Mauritius and island Manhatas on the east side, and the island *Hoboken Hackingh* on the north side, surrounded by marshes, serving sufficiently for distinct boundaries." This was in 1640. De Vries asserts [N. Y. Hist. Coll. 2d Ser. Vol. I.] that the reason for Pauw's selection of this tract, was the like appropriation by other patroons of the lands around Fort Orange. It is doubtful, how-

oldest maps, it was probably the appellation of a large district, including the settlement at Bergen. Although thus early selected for plantations, there does not appear to have been any extensive cultivation of the soil or material addition to the number of the colonists immediately consequent thereupon. On the contrary, when William Kieft arrived in 1633, as Director-General of the Company's interests, he found many of the farms and settlements far from being in a flourishing condition;³⁶ and such is presumed to have been peculiarly the case with those west of the bay, although afterward they seem to have attracted more attention and secured a greater amount of the colonists' care.

Soon after Kieft's arrival we find him in possession of a farm described as "a lot of land called *Paulus Hoek*, situated to the west of the island of Manhattan, east from *Ahasimus* on the North river, to the valley which borders on it"—which he subsequently sells to Abraham Isaacsen Plank for a sum equal to seventy-five pounds sterling.³⁷ This is the first application of the name Paulus Hoek to the peninsula which is so designated at the present day, with a slight alteration in the orthography. The Indian name was *Arisheck*. On

ever, if his title to this tract was ever fully established: he does not appear to have improved it; and in 1638 we find a portion of it in possession of Gov. Van Twiller, and in 1659 the whole country, through to the Hackinsack. Moulton says [Vol. I. p. 420] it reverted to the Company either by concession or compulsion. In 1633, De Vries mentions his going to Pavonia, and being well received by an officer of the Company; showing the existence of some kind of a settlement there at that time. Mr. Folsom

derives *Pavonia* from "Pavo," the Latin for *Pauv*; meaning peacock.

³⁶New York Hist. Coll., 2d Ser. Vol. I. 279.

³⁷This sale was confirmed by Gov. Carteret in a grant to Plank, May 20, 1668, E. J. Records, B. 36. Dunlap's N. Y., I. 59. It was in Plank's possession in 1643, as in that year he transferred it to two individuals as security for bail entered for him. Albany Records, Vol. III.

the 11th May, 1647, Maryn Adrianse received a grant for a tract of land called Weehawken.³⁸

On the 5th of August, 1650, the lands "at the south side in the bay of the North river" were purchased of the Indians in behalf of Heer Lubertus Vandinlage, Deputy Director of the New Netherlands, by the delivery of sundry goods valued at 193 guilders;³⁹ and the following year (December 6, 1651), Augustine Herman purchased a vast tract, which included all the land from "the mouth of the Raritan Creek westerly up unto a creek, *Mankackkewachky*,⁴⁰ which runs Northwest up into the country, and then from the Raritan Creek aforesaid northerly up along the River behind States Isle, unto the Creek, namely, from the Raritan Point, called *Ompoge*,⁴¹ unto *Pechciesse*,⁴² the aforesaid creek, and so the said creek *Pechciesse* up to the very head of it, and from thence direct westerly thorowe the Land untill it meets with the aforesaid Creek and Meadow Ground called *Mankackkewachky* aforesaid." Subsequently Herman

³⁸ This was confirmed by Carteret, April 18, 1670.

³⁹ E. J. Records, B. 7. The articles were as follows:—

"First of good Stringed Wampen, - - -	gl. 98.15
Eleven Ells of Duffield, at 4 gl.	44
5 hatchets at 2 g. 10 st. a ps.	12.10
21½ lbs. of kettles, at 30 stiv.	52.05
4 skifs, at 10 sts., - -	2.00
For bread, Indian Corn, and other small matters,	4.00
Somma guild.	193.10

Aug. 5, 1650."

⁴⁰ What are now termed "Raritan Great Meadows."

⁴¹ The origin of the name *Ambo*, whence the modern Amboy is derived.

⁴² The creek *Pechciesse* was thought to have been the Passaic river, but following that river would include a much greater quantity of land than the Indians intended to grant. It was one of the points of controversy in the Elizabethtown suit in chancery. It was acknowledged that the natives did not intend to sell beyond the "Minisink Path," which crossed the Raritan three or four miles above Amboy, pursuing a northwesterly course towards Minisink island, in the Delaware river, near the northwest termination of the State. See Stair's Bill. Letter from a Gentleman in New Brunswick to his Friend in Elizabethtown, folio, 1752. E. J. Records, Liber I. p. 9.

also purchased a tract of land called "Kehackanick wakonaback," on the south side of the Raritan, "opposite to Staten Island ;"⁴³ but there is no evidence of any settlement by him of either of these tracts. Herman removed from New York to some place on the Delaware, where he died.⁴⁴

The several plantations that had been located on the western side of the bay, at "Gemeenepan" were abandoned about the close of 1651, and not until 1661 were they re-peopled. Lots of ground were then ordered to be laid out, and a ferry to New Amsterdam was established.⁴⁵ In the mean time (January 30th, 1658-9), the Indians had sold to "the noble Lord Director General, Pieter Stuyvesant, and Council of New Netherlandt," a tract lying on the west side of the North river, "beginning from the great Clip above Wichachan and from there right thorough the land until above the Island Sikakes,⁴⁶ and therefrom thence to the Kill Van Coll, and so alongdt to the Constable's hoeck,⁴⁷ and from the Constable's hoeck again to the aforesaid Clip above Wichachan."⁴⁸

⁴³ E. J. Records, B. 6. On 16th Nov. 1666, Governor Carteret gave him permission to manure and possess this tract, "provided he makes good his purchase from the Indians."

⁴⁴ Answer to Stair's Bill, 8. The same authority states that Herman had several sons, and one of them, *Ephraim*, held several offices in Delaware under the English government. He was "a man of note," as well as his brother *Casparus*, and they "had divers tracts of land granted to them." Vanderdonck says, "Augustine Heerman, who is a curious man, and a lover of the country, made an experiment near New Amsterdam, where he planted Indigo seed,

which grew well, and yielded much." Casparus Herman was member of the Pennsylvania Assembly, from New Castle, in 1683 and 1684.

⁴⁵ Albany Records, XIV. 27; XIX. 35, 36, 437; XXIV, 398. In 1662 the ferryman complained that the authorities of Bergen had authorized the inhabitants to "ferry themselves over whenever they pleased," to the great detriment of his monopoly.

⁴⁶ Now *Secaucus*, a ridge of upland having Snake hill at its southern termination; called an island still, from its being surrounded by salt meadows.

⁴⁷ Now Bergen Point.

⁴⁸ These are the bounds as given in

These bounds, it will be observed, include all the lands sold to Michael Pauw in 1630 ; from which it is argued, that before this, his title had reverted to the West India Company ; which, by this deed, increased its interest by the addition of new lands to those already held. In consideration for this tract, which extended from the Hackensack to the North river, the Indians received from their white neighbours, 30 fathoms of wampum, 20 fathoms of cloth, 12 brass kettles, 6 guns, 2 blankets, 1 double brass kettle, and 1 half-barrel of strong beer ; and they agreed to remove the first opportunity. A compensation sufficiently trifling under any circumstances ; but considering that Bergen had been settled more than twenty years, it is remarkable that intercourse with the traders had not rendered the natives less liable to be captivated by the articles used in traffic with them, and more observant of the value set upon them by the whites in comparison with the lands they coveted.

On 5th February, 1663, Nicholas Verlett received a grant from Gov. Stuyvesant for a tract called Hobuk.

The grants and purchases which have been here enumerated, appear to be all that were included within the present limits of East Jersey, made prior to the surrender of the New Netherlands to the English.⁴⁹ These, it will be observed, were confined exclusively to the Dutch ; for so long as the country remained under their

E. J. Records, Lib. I. p. 3. In Vanderkemp's translation in the Albany Records, XIV. p. 82, we have "Kill of the Col," "Con Staples' Corner" (probably the name of some individual there settled), and the word "Rock" instead of *Clip*. There had been sites selected for plantations in various quarters of this tract, and some of them may have con-

tinued to be occupied notwithstanding the difficulties with the Indians, and other impediments. Persons are mentioned as of "Aquackenack," in 1640.

⁴⁹ The Albany Records (Vol. VIII. p. 27) contain a letter from the Heer Werkhoven to Baron Vander Capellen, stating that the lands about Neversink and Raritan's Kill had been purchased

domination, obstacles were thrown in the way of settlement by others; applications for land from residents in New England not being granted upon the desired terms,⁵⁰ and even an inspection of the soil and intercourse with the natives objected to.⁵¹

The claim of England to nearly the whole continent of America, by virtue of Cabot's discoveries, although preferred on grounds which, according to the theories then prevailing, gave her a sufficient title, had long remained dormant; so that the occupancy of the Dutch had become firmly established. The settlers of New England, however, commenced at an early period to make encroachments upon lands conceived to be within the limits of New Netherlands, and to assert their right to the soil, leading to various disputes and negotiations. The coolness and pertinacity of their neighbours of New Amsterdam added to their animosity, and they finally applied to the Government at home for its interference and assistance. No efficient results were produced by applications to the Protector Cromwell or his brother Richard; but Charles II., entertaining a strong dislike to the Dutch, was easily induced to countenance the complaints of his North American subjects, and although at peace with the States-General, to enforce his right to the province of New Netherlands.⁵²

To carry out this purpose, on the 12th of March, 1663-4,⁵³ a charter was granted to His Royal Highness,

for him in 1649, and complaining that they had not been allotted to him. There is no proof that it was ever done.

⁵⁰ See Note D.

⁵¹ The Albany Records [Vol. XXI. p. 431] contain an account of a "voyage to Navesink" in 1663, to look after

a party of English exploring the Raritan; which, having never been printed, is given at length in Note B.

⁵² Gordon's *New Jersey*, 20. Dunal's *New York*, I. chap. 6.

⁵³ *N. Jersey Grants and Concessions*. Smith's *New York*. Douglas' Summary,

James, Duke of York and Albany, Charles' brother, for all the lands lying between the western side of Connecticut river, and the east side of Delaware bay, including Long Island, Nantucket, Martha's Vineyard, and the islands in their vicinity :—and in April, a fleet was despatched, consisting of two vessels of fifty guns each, and one of forty guns, having on board 600 soldiers, besides a full complement of sailors, to put the duke in possession by ejecting the Dutch. This was done without difficulty, for they were little prepared in a time of peace to resist such a hostile force.

The expedition was commanded by Colonel Richard Nicholls, upon whom the government of the province had been conferred by the Duke of York, and he arrived at New Amsterdam on the 28th of August. The surrender took place on September 3d,—the fort became Fort *James*, and the province, *New York*. On the 24th, Fort Orange surrendered; the name of *Albany*, the duke's Scottish title, was conferred upon it; and early in October, the settlements on the Delaware capitulated to Sir Robert Carr, who, with two vessels, had proceeded thither from New York.⁵⁴ The terms granted the Dutch were so favourable that they generally remained and became subjects of Great Britain; a circumstance to which may be attributed the existence in New York and New Jersey at the present day, of a large number of families tracing their descent from a Dutch ancestry.

&c. Smith's New Jersey, followed by Gordon's New Jersey, gives the 20th as the date; but that is an error.

⁵⁴ Smith's New York. Smith's New Jersey, 35. Dunlap's New York, I. 115. Carr, very wisely, first treated with the Swedes, and then with the Dutch

planters, so that the small garrison in the fort was left without external aid. Some resistance was made, nevertheless, and thirteen of their number wounded, before they capitulated. See Carr's letter in New York Colonial Records, under date of 13th October, 1664.

This violent seizure of the New Netherlands, as might have been expected, and probably hoped for by Charles, brought on a war with Holland; but by the treaty of Breda, in 1667, peace was restored, and the possession of New York confirmed to the English.

Although the Hollanders had, as the pioneers of civilization, done much to develop the resources and advantages of East Jersey, yet their occupation of the country during the long period of fifty years does not appear to have resulted in any thing like a proportionate cultivation of the soil or increase of population. This was owing, probably, in the main to a want of systematic energy, perseverance, and unity of action in the chief men of the province; but another reason may be found in the collisions with the Indians, which have been incidentally mentioned.

It is stated in a publication bearing date 1648, that the natives in this section of the continent were under the dominion of about twenty kings; that there were 'twelve hundred under the two Raritan kings on the north side next to Hudson's river, and those came down to the ocean about little Egg-bay and Sandy Barnegate; and about the South Cape two small kings, of forty men apiece, and a third reduced to fourteen men at Reymont.⁷⁵⁵ So that there were probably not more than two

⁵⁵ Description of New Albion, orig. edit., p. 22. The seat of the Raritan king is said to have been called by the English *Mount Ployden*, "twenty miles from Sandhay Sea, and ninety from the ocean, next to Amara hill, the retired paradise of the children of the Ethiopæan emperor; a wonder, for it is a square rock two miles compass, 150 feet high, a wall-like precipice, a strait

entrance, easily made invincible, where he keeps two hundred for his guards, and under is a flat valley, all plain to plant and sow." The writer is at a loss to locate this "mount" and "retired paradise," if such actually existed, save in the imagination of "Beauchamp Plantagenet, Esq.," as he knows of no place answering the description.

thousand within the province while it was under the domination of the Dutch. On early maps of New Jersey, an Indian path is designated running from the mouth of Shrewsbury river in a northwesterly direction, crossing the Raritan a little to the westward of Amboy, and thence in a northerly direction to Minisink island in the Delaware river, near the northern boundary of the State: this was probably their great thoroughfare. The *Sanhicans*, the deadly enemies of the *Manhatae*, but whom De Laet characterizes as a better and more decent people, inhabited that part of the province lying west of Staten Island, and farther south were the *Naraticongs*, *Maravancons*, and other branches of the great Delaware tribe.

Of a peaceable disposition, excepting when exasperated by the exactions or oppression of their white neighbours, the dangers and outrages which attended the colonization of some parts of the country, were here experienced in a much less degree. The first attack upon the Hollanders appears to have occurred on the Delaware in 1630, and was as unexpected as it was disastrous; thirty-two of the settlers being murdered in revenge for the death of a chief, who fell a victim to the desire of some of his own race to propitiate the whites for a trifling offence he had committed.⁵⁶

In East Jersey the greatest harmony seems to have prevailed until, by the misconduct of the colonists, the anger of the natives was aroused. In 1640 an expedition fitted out against those on the Raritan,—accused, though wrongfully, of having committed thefts and other trespasses—caused the maltreatment of some of the lead-

⁵⁶ De Vries, N. Y. Hist. Coll. 2d Ser. Vol. I. pp. 251, 266. Gordon's N. J. p. 9.

ing chiefs, and led the following year to retaliatory measures upon the settlers of Staten Island, who were killed, and their plantations broken up.⁵⁷ This matter, in conjunction with other murders committed by individuals, and the refusal or inability on the part of the Indians to secure the offenders, brought on general hostilities.

The authorities of New Amsterdam, emulating the craft of their opponents, or fearful of creating too powerful a combination among the natives, assiduously kept from them every intimation of the evil that was brewing; and directed that the "kind intercourse and the trade in corn should be continued with them as before, till God's will and proper opportunity is offered."⁵⁸ This opportunity came early in 1643. The Indians in the vicinity of Fort Orange (Albany), having commenced a war with their more southern brethren, Governor Kieft joined them; and on the night of the 25th of February, a detachment of troops was sent over to Pavonia, and eighty Indians were murdered in their sleep or in attempting to escape. "This was the feat," says De Vries, alluding to a remark which had been previously made by the governor in relation to it, "worthy of the heroes of old Rome—to massacre a parcel of Indians in their sleep, to take the children from the breasts of their mothers, and to butcher them in the presence of their parents, and throw their mangled limbs into the fire or water! Other sucklings had been fastened to little boards, and in this position they were cut in pieces! Some were thrown into the river, and when the parents rushed in to save them, the soldiers prevented their landing, and let pa-

⁵⁷ N. Y. Hist. Coll. Vol. I. pp. 263-264.

⁵⁸ N. Y. Hist. Coll. 2d Ser. Vol. I. p. 277.

rents and children drown." As the orders given to the officer commanding the expedition, as they appear on record, were "to spare as much as it is possible their wives and children, and to take the savages prisoners,"⁵⁹ we might attribute this cruelty entirely to the excited passions of the men, were we not told that for these services they were rewarded; and that "the same night forty Indians were attacked in their sleep and murdered at Corlaer's Hook and at Corlaer's plantation."⁶⁰ Such a warfare could not fail to exasperate the natives, and so soon as they became aware that these massacres were by the whites, (for, from the secrecy observed, and the darkness of the night, they thought they had been attacked by their enemies, the Maquas,) they murdered in the country all the men they could find; but, more humane than their civilized opponents, spared the women and children. Houses and barns, grain and hay, were destroyed, and war waged for some days. In March, a peace was concluded; but the terms of the pacification were inadequate to remove from the minds of the Indians the recollection of the grievous injuries sustained in the loss of fathers, mothers, children, relatives and friends, and consequently an opportunity was taken to renew the war by the capture of a guard of soldiers, and the destruction of the houses at Pavonia in October following.⁶¹ The conflicts were of a more serious character thereafter, and hostilities continued for some months. In March, the authorities of New Amsterdam proclaimed a solemn fast, to deprecate the anger of Je-

⁵⁹ N. Y. Hist. Coll. 2d Ser. Vol. I. p. 278.

⁶⁰ De Vries in N. Y. Hist. Coll. 2d Ser. Vol. I. p. 269. De Vries was the

only member of the council opposed to this warfare against the Indians.

⁶¹ N. Y. Hist. Coll. 2d Ser. Vol. I. p. 272.

hovah, and in the course of the following year, peace was permanently restored; giving the good burghers, who had fasted, an occasion also to rejoice on a day of public thanksgiving and praise, which was set apart for the purpose.⁶² The collisions which subsequently ensued, between this and the subjugation of the province by the English, were of less consequence, although they interfered materially with the comfort of the out-settlers.⁶³ As long as such was the case, we may not wonder at the slow progress made by the settlements in East Jersey.

THE MAP facing the title, is from Vanderdonck's Map of the New Netherlands (1656), which was the foundation of Ogilby's map (1671), and others published subsequently. Moulton, quoting Du Sumitieri in the Philadelphia Library, states that the first improved map of the New Netherlands was by Nicholas J. Vischer, published in Amsterdam anterior to the appearance of Vanderdonck's. The State of New York, through her historical agent, has recently secured fac-similes of two very early maps; one, giving a representation of the country bordering upon Hudson's river as known only a few years after the visit of its discoverer, is represented to be remarkably accurate; the other is descriptive of the coast from Nova Scotia to the Capes of Virginia.⁶⁴

Trusting to these early delineations as giving the true courses of rivers, positions of settlements, and other localities, the old writers upon America formed their opinions, and gave their descriptions accordingly; not having always the advantage of personal examination to test their

⁶² N. Y. Hist. Coll. 2d Ser. Vol. I. p. 278.

⁶³ The abandonment of the plantations at Communipau in 1651, has been noticed; and in 1656, Nicholas Verlett, of Hoboken, asks permission for six or eight soldiers for his defence; but his request was denied for fear of a collision with the Indians, who already, it is said

had twenty children in their possession, for the recovery of whom, negotiations were then pending. Albany Records, Vol. XI. p. 325. Verlett at this time also asks permission to transport to New Amsterdam from Hoboken a frame house which he had sold Michael Jansen for 230 guilders.

⁶⁴ Brodhead's Address, 16-18.

accuracy. Consequently topographical errors of great magnitude exist in some works, casting a shade of doubt over other portions which are deserving of credit. For example, Oldmixon says: "The river Esopus, *between this province [New Jersey] and New York*, flows into Hudson's river near Kingston;" and Wynne, in his History, says: "*West Jersey has an easy communication by the river Esopus with New York.*" Incomprehensible statements, until we examine these early maps, on which we find that the Esopus river is represented as connecting the Delaware with the Hudson, affording an uninterrupted water communication. These instances exemplify sufficiently the service such maps are calculated to render to those engaged in historical researches.

PERIOD II.

FROM THE SURRENDER OF THE COUNTRY TO THE ENGLISH,
UNTIL THE SALE TO THE TWENTY-FOUR PROPRIETARIES.

1664—1682.

BEFORE the Duke of York was actually in possession of his easily acquired territory, on the twenty-third and twenty-fourth of June, 1664, he executed deeds of lease and release to Lord John Berkeley, Baron of Stratton, and Sir George Carteret, of Saltrum in Devon,¹ granting to

¹ SIR JOHN BERKELEY commanded the army against the Scots in 1638, and was knighted at Berwick in that year. He bore a conspicuous part in the civil wars that followed, supporting the royal cause. He remained in exile with the royal family, in 1652 was placed at the head of the Duke of York's establishment, and in 1658 was raised to the peerage by the exiled monarch, as Baron Berkeley of Stratton, in the county of Somerset—the scene of one of his military triumphs. On the restoration, he became one of the privy council, and towards the close of 1669, lord lieutenant of Ireland. In 1675, he was appointed ambassador-extraordinary to Versailles, and died August twenty-eighth, 1678.

SIR GEORGE CARTERET had been a naval officer of high reputation, and, through

the influence of the Duke of Buckingham, was appointed by Charles I. joint-governor of the Island of Jersey, and on the breaking out of the civil war, held the office of comptroller of the navy. He was much esteemed by all parties, and might have been a vice admiral under the parliament, had he not declined the appointment by the express command of the king. Having retired from the navy, he withdrew, with his family, to Jersey, but, subsequently, returned to aid the prospects of the royalists. He was created a baronet, May 9th, 1645. He again went back to his government in Jersey, and there, on the ruin of the royal cause, afforded an asylum to the Prince of Wales, and other refugees of distinction. After this, he defended the island in the most gallant manner against

them, their heirs and assigns, all that portion of his tract "lying and being to the westward of Long Island and Manhitas Island, and bounded on the east part by the main sea, and part by Hudson's river, and hath upon the west, Delaware bay or river, and extending southward to the main ocean as far as Cape May, at the mouth of Delaware bay; and to the northward, as far as the northernmost branch of the said bay or river of Delaware, which is forty-one degrees and forty minutes of latitude, and crosseth over thence in a strait line to Hudson's river, in forty-one degrees of latitude; which said tract of land is hereafter to be called by the name or names of *New Cæsarea*, or *New Jersey*."² The name of "Cæsarea" was conferred upon the tract in

the Parliamentarians, as an ancestor had done before him against the French in 1374, and ultimately surrendered at the command of Charles II. Elizabeth castle, on the Island of Jersey, under Sir George, being the last fortress that lowered the royal banner. At the restoration, Sir George formed one of the immediate train of the restored monarch on his triumphant entry into London; and the next day he was sworn of the privy council.

He was also declared vice chamberlain, and in 1669, was expelled the House of Commons for misconduct in that capacity. He was also, at one time, treasurer of the navy. The following singular circumstance, connected with his trial, is given in Andrew Marvell's Letters, pp. 125, 126, London, 1832. On the question of Sir George's embezzlement of the public money, the house dividing, "the ayes went out, and wondered why they were kept out so extraordinary a time; the ayes proved 138,

and the noes 129; and the reason of the long stay then appeared! The tellers for the ayes chanced to be very ill reckoners, so that they were forced to tell several times over in the house; and, when, at last, the tellers for the ayes would have agreed the noes to be 142, the noes would needs say they were 143; whereupon those for the ayes would tell once more, and then found the noes to be indeed but 129, and the ayes, then coming in, proved to be 138; whereas, if the noes had been content with the first error of the tellers, Sir George had been quit." He was afterwards returned to parliament by the corporation of Portsmouth. He married Elizabeth, daughter of Sir Philip Carteret, of St. Owen. Both Carteret and Berkeley were already proprietors of Carolina.

² New Jersey Grants and Concessions, p. 10. The original lease and release, are in the Rutherford collection of original papers.

commemoration of the gallant defence of the Island of Jersey, in 1649, by Sir George Carteret, then its governor, against the Parliamentarians; but the people preferred the English name of *New Jersey*, and the other was consequently soon lost.

The grant of the Duke of York from the crown,³ conferred upon him, his heirs and assigns, among other rights appertaining thereto, that most important one of government; the power of hearing and determining appeals being reserved to the king; but, "relying," says Chalmers, "on the greatness of his connection, he seems to have been little solicitous to procure the royal privileges conferred on the proprietors of Maryland and Carolina," whose charters conferred almost unlimited authority. "And while as counts-palatine they exercised every act of government in their own names, because they were invested with the ample powers possessed by the prætors of the Roman provinces, he ruled his territory in the name of the king."⁴ In the transfer to Berkeley and Carteret, they, their heirs and assigns, were invested with all the powers conferred upon the duke, "in as full and ample manner" as he himself possessed them; including, as was conceived, the right of government, although not expressly designated: thus transferring, with the land, the allegiance and obedience of the inhabitants, in a way little in accordance with modern ideas of what constitute the just rights of mankind; particularly so, as the proprietaries seem to have regarded this assignment of government more as an absolute grant, uncontrollable by superior authority, rather than an investiture of power, for the exercise of which they were to be held responsible.

³ N. J. Grants and Concessions, p. 3

⁴ Chalmers' Annals, 613.

Lord Berkeley and Sir George Carteret, now sole proprietors of New Jersey, on the 10th February 1664,⁵ signed a constitution, which they made public under the title of “The Concessions and agreement of the Lords Proprietors of New Jersey, to and with all and every of the adventurers, and all such as shall settle and plant there.” This document must ever possess great interest in the estimation of the citizens of New Jersey, containing, as it does, the germ of those republican principles for which the state has ever been distinguished, and of many of the institutions which exist to the present time. “The Concessions,” as this paper was generally called, were always looked to with respect by the people, being regarded as the great charter of their liberties, sacred and irrevocable, and therefore, of higher authority than the acts of their assembly, which were subject to repeal and alteration.⁶

The government of the province was confided to a governor, and a council of advice and consent, of not less than six, nor more than twelve, to be chosen by the governor ; and an assembly of twelve representatives, to be chosen annually by the freemen of the province. The governor and council were invested with power to nominate, commission, and remove all officers,—freeholders alone to be appointed to office, unless by consent of the assembly,—and to exercise a general supervision over all courts and the executors of the laws. They were to direct the manner of laying out the lands, and

⁵ Gordon, copying Grahame's first edition, pronounces this date “erroneous, unless we suppose the instrument was prepared before the charter from the King,” forgetting that the year then com-

menced with March, and that, consequently, *February*, 1664, instead of *preceding*, was *eleven months subsequent* to the date of the duke's grant.

⁶ Chalmers' Annals, p. 615.

were not to impose, nor suffer to be imposed, any tax upon the people not authorized by the general assembly.

The assembly were authorized to pass laws for the good government of the province, which, with the approbation of the governor, were to remain in force for one year,⁷ within which time, they were to be submitted for the approval of the lords-proprietors; to levy taxes, to create ports, to build forts, to raise militia, suppress rebellion, and make war, to naturalize strangers, and to apportion lands to settlers. Should occasion require, communications could be made by the representatives, touching the conduct of the governor and council or any other grievance, directly to the lords-proprietors. To encourage planters, every freeman who should embark with the first governor, or meet him on his arrival, provided with a "good musket, bore twelve bullets to the pound, with baneliers and match convenient, and with six months' provisions for himself," was promised one hundred and fifty acres of land, and the like number for every man-servant or slave, brought with him, provided with the same necessaries. To females over the age of fourteen, seventy-five acres were promised, and a similar number to every Christian servant, at the expiration of his or her term of service. Those going before the first of January, 1665-6, were to receive one hundred and twenty acres, if master, mistress, or able man-servant or slave; and weaker servants, male or female, sixty acres. Those going during the third year, three-fourths, and during the fourth year, one-half of these quantities.⁸

⁷ In the governor's instructions, this time was extended to one year and a half. But the laws were required to be transmitted within the year for approval.

After approval, their duration was unlimited, except by their own provisions.

⁸ When we consider what public sentiment was, at the time, in relation to

In the laying out of towns and boroughs, the lands were to be divided into seven parts, one of which the proprietaries reserved for themselves, the remainder was to be divided among the settlers thereon. For the lands thus granted, a yearly quit rent was to be paid, of not less than one half penny per acre; the payment of which, however, was not to commence before the year 1670. Each parish was to receive two hundred acres for the use of its ministers. Liberty of conscience was guarantied to all becoming subjects of England, swearing allegiance to the king and faithfulness to the lords-proprietors, provided that liberty was not used "to licentiousness, to the civil injury, or outward disturbance of others;" and the assembly of the province was authorized to appoint as many ministers as they should think fit, and provide for their maintenance:—permission being given, at the same time, to any person or persons, to keep and maintain such ministers as they might prefer. Such

slavery, there seems to be unauthorized harshness in the rebuke of Lords Berkeley and Carteret, in Bancroft's *Hist. U. S.*, Vol. II. p. 316, ninth edit., where he says they, "more true to the prince" [the Duke of York, President of the Royal African Co.] "than to humanity, offered a bounty of seventy-five acres for the importation of each able slave;" particularly so, as by separating this bounty from the others in the concessions, an erroneous impression is conveyed; the proprietors being impliedly charged with encouraging a direct traffic in slaves. But that such was their intention is very doubtful. The decrease in the quantity of land, to those going after the first year, is an indication that sub-

serviency to the duke's interest in the African Company, was less their object than the rapid translation of settlers and laborers to their province. The grants of land promised to such servants or slaves as should embark with the governor, certainly could not have applied to such of the latter as were not then actually held to service in England or Scotland; and there is nothing to prove that the grants for subsequent years had reference to any other, but rather the reverse. Whether any slaves were actually brought to New Jersey under the concessions is uncertain, but if so, they must have been few in number, and probably, none were directly imported from Africa for some years thereafter.

were the principal provisions of the fundamental constitution of the province.⁹

On the same day that this instrument was signed, Philip Carteret, a brother to Sir George, received a commission as governor of New Jersey, and instructions relative to the administration of the office.¹⁰ Preparations were immediately made for his departure with all such as were willing to accompany him to the western world. The ship *Philip*, having on board about thirty people, some of them servants, and laden with suitable commodities, sailed from England in the summer, and arrived in safety at the place now known as Elizabeth-town Point, or Elizabeth Port, in August of the same year. What circumstance led to the governor's selection of this spot for his first settlement, is not now known, but it was, probably, the fact of its having been recently examined and approved of by others. He landed, and gave to his embryo town the name of *Elizabeth*, after the lady of Sir George.¹¹

The governor found at this place a settlement of four families already established, for the existence of which, it is necessary to account.

The transfer of New Jersey to Berkeley and Carteret, was made subsequent to the departure of Colonel Nicholls from England, and no notification of it having

⁹ For the document at length, see E. J. Records. Smith's N. J. p. 512. Grants and Concessions, p. 12. The original, a parchment roll nearly nine feet in length, is in the possession of the New Jersey Historical Society.

¹⁰ Grants and Concessions, pp. 26-31.

¹¹ Bill in Chancery, 28. Smith's N. J., 67. The defendants, in their

answer to the bill in chancery, p. 20, deny that the place was named by Carteret; giving to the first settlers the credit of naming it after "the renowned Queen Elizabeth." This was probably, however, an after thought, when the proprietors and all to them belonging were little regarded.

been sent to him, he believed the whole territory which had borne the name of New Netherlands, to be included within the limits of his government, for such were the provisions of his commission;¹² and, having published "Conditions for new plantations," they were considered applicable as well to the portion composing New Jersey, as to the rest of the country granted to the duke. These conditions were of a liberal character,¹³ and individuals from Long Island and New England, began to turn their attention towards the rich lands of East Jersey, so advantageously situated and susceptible of improvement at comparatively little cost. Governor Nicholls, himself, held them in high estimation, and conferred upon the territory the name of "Albania,"¹⁴ after one of his master's titles. He regarded it as including "all the improvable part" of the duke's grant, "preferable to all the remaining tracts" in many respects; and on learning that it had been transferred to others, remonstrated strongly against the measure.¹⁵

On the twenty-eighth of October, 1664, John Bailey, Daniel Denton, and Luke Watson, under permission from Governor Nicholls, obtained from the Indians, a deed for all the land "bounded on the South by a River commonly called the Raritan River, and on the East, by the River which parts Staten Island and the Maine, and to Run Northward up After Cull Baye, till we come to the first River, which setts Westward out of the Bay aforesaid, and to runn, Westward into the Country, twice

¹² Grants and Concessions, 665.

¹³ Smith's N. Y., I. p. 35. Answer to Bill in Chancery, p. 6. Grants and Concessions, 667.

¹⁴ Nicholls' Letter in New York Records. Smith states that for some time, "at first," it was called *New Canary*.

¹⁵ Chalmers' Annals, 624. See note C.

the Length as it is Broad from the North to the South of the aforementioned bounds."¹⁶

The consideration received by the Indians for this tract was "Twenty fathom of trayden Cloth, two made Cotes, two gunnes, two kettles, ten barres of Lead, twenty handfulls of Powder, foure hundred fathom of white wampom, or two hundred fathom of black wampom;" the whole valued at £36 14s.¹⁷ The grantees were Mattano, Manamowaone, and Cowescomen, of Staten Island, but the deed was only signed by *Mattano*. Governor Nicholls confirmed the grant on the second of December.¹⁸

It will be observed, that the bounds of this purchase are similar to those of Augustine Herman's in 1651, and "unfortunately for his business character," as Gordon remarks, Mattano, in the conveyance to Herman, had

¹⁶ E. J. Records, B. 181.

¹⁷ Bill in Chancery, p. 30.

¹⁸ Bill in Chancery, pp. 25, 26. Grants and Concessions, 669, 673. The signers to the application to Gov. Nicholls for permission to purchase were *John Bailey*, *Daniel Denton*, *Thomas Benydict*, *Nathaniel Denton*, *John Foster*, and *Luke Watson*. The grant was confirmed to *Bailey* and *Watson*, of Jamaica; *Capt. John Baker*, of N. Y.; *John Ogden*, of Northampton, "and their associates." They say in their application, that they had made some arrangements for planting on Arthur Cull bay, in the time of the Dutch, but obstacles had been thrown in their way. The Answer to the Bill, p. 7, states that Baker and Ogden had bought Denton's interest. Denton himself, it is thought, returned to England, and remained there. In 1670, he pub-

lished, in his own name, "A Brief Description of New York, formerly called New Netherlands, with the places thereunto adjoining," &c., which has been quoted from in the foregoing pages. Ogilby availed himself largely of Denton's book, in the composition of his large work on America, when treating of this portion of the continent; and without acknowledgment. The work in the original editions is very rare, but it has recently [1845] been reprinted in a pamphlet form, by the Historical Society of Pennsylvania, and also, with notes, in New York. Denton was the oldest son of the Rev. Richard Denton, the first minister at Hempstead, and came with his father from Stamford, in 1644; he afterwards assisted in the settlement of Jamaica, and was a magistrate there. Thompson's Long Island, I. p. 80.

already parted with his right to the lands in question.¹⁹ But, as Bailey and his associates²⁰ had acted with good faith in making the purchase, and had received the confirmation of Governor Nicholls, while yet unacquainted with the fact that the country was no longer part of his government, or subject to his control; they were not disposed to waive what rights they had thus acquired: and, for many years, the peace of the province was destroyed by the contention which ensued between them and their descendants, and those claiming under Berkeley and Carteret. The four families, found at Elizabethtown, by Carteret, were the pioneers of the Jamaica colony; and, their claim to the soil does not seem to have prevented a harmonious co-operation with the governor in forwarding the prosperity of the new settlement. It is probable, that neither party anticipated the litigation that would ensue, or that, where vacant land was so plentiful and easy to be obtained, serious dissensions would arise respecting the occupancy of an inconsiderable portion, like the tract upon which they had entered.²¹

On 8th April, 1665, Governor Nicholls confirmed

¹⁹ His associate in the first deed was *Appamanskoch*, and they signed for themselves, and in behalf of *Memewan*, (the same, probably, as one of the grantors to the second deed) *Warritschen*, *Encklien*, and *Mechaoch*.

²⁰ They claimed to be eighty in all; but the proprietors assert, positively, in all their publications, that there were not more than the four families on the ground when Carteret arrived: those that came subsequently, locating under the concessions.

²¹ The Long Islanders appear to have acknowledged the authority of the gov-

ernor from the first, and many of those who afterward became parties to the suit in chancery, complied with the regulations of the proprietors for laying out their lands. In their answer to the bill, p. 20, the defendants say—accounting for the unanimity which prevailed, as noticed in the text—that, on the arrival of Governor Carteret, he was informed by the people he found at Elizabethtown of their right to the lands; that he approved of the same, and “went up from the place of his landing to the town, carrying a hoe on his shoulder, thereby intimating his intention of becoming a

another purchase of lands lying near "Sandy Point" [Sandy Hook], to William Goulding (or Goulder), Samuel Spier (or Spicer), Richard Gibbons, Richard Stout,²² James Grover, John Bound (or Bowne), John Tilton, Nathaniel Sylvester, William Reape, Walter Clark, Nicholas Davis, and Obadiah Holmes; "beginning at Sandy Point aforesaid, and running along the bay, westward to the mouth of the Raritan river, thence along the said river to a point of the marsh land which divides the river into two parts, and from that point to run in a direct southwest line into the woods, twelve miles, and thence to turn away southeast and by south, till it falls into the southwest [southeast?] sea."²³ This grant led to the settlement of Middletown and Shrewsbury. It was disallowed by the Duke of York, as well as that of Elizabethtown;²⁴ but on the 28th May, 1672, Governor Carteret and council, "upon the address of James Grover, John Bowne, Jonathan Holmes, Richard Hartshorne, John Hume, and James Ashton," confirmed the privileges which they and their associates had received from Governor Nicholls.²⁵

planter with them." A much more likely cause for the unanimity that prevailed, is the probability mentioned in the text. The magnitude of the interests at stake were not at first so well discerned, as they were subsequently, by either the governor or the first settlers. See note D.

²² From Smith's New Jersey, p. 65; it is probable this was the progenitor of most of the Stouts in New Jersey; and, see Trenton State Gazette, Dec. 13, 1842.

²³ Answer to Bill, p. 14. Grants and Concessions, 661, &c. It would seem, from a letter or affidavit of Richard

Hartshorne, in Smith's N. J., p. 63, *note*, that although these lands were confirmed by Nicholls as having been purchased of the Indians, such was not the fact at the time. Hartshorne, to prevent the destruction of his property, had to purchase his ground of the Indians after he became a settler. The grantees were, principally, from the west end of Long Island, and to Shrewsbury went, subsequently, several families from New England. Smith's N. J., p. 62.

²⁴ Bill in Chancery, 35.

²⁵ These were—1. To dispose of their lands as they chose. 2. No one to be

Governor Carteret, so soon as he became established at Elizabethtown, sent messengers to New England and elsewhere, to publish the concessions of the proprietors and to invite settlers. In consequence of this invitation and the favorable terms offered, the province soon received large additions to its population; Elizabethtown and the surrounding country receiving, probably, the greater portion, until other locations could be selected. The ship Philip, in which the governor had come from England, returned thither in about six months, and the next year brought out "more people and goods," on account of the proprietaries; and other vessels similarly laden, followed from time to time.²⁶

Governor Carteret and John Ogden, having purchased the individual claims of Denton and Bailey,²⁷ they, in conjunction with Luke Watson, on the 21st May, 1666, entered into an agreement with Daniel Pierce and his associates, for settling two townships; and on the 11th December, 1666, in consideration of the sum of £30 sterling, they transferred to Pierce for that pur-

obliged to support a clergyman. 3. All causes, not criminal in their nature, to be heard within their cognizance, and no appeal to a higher court allowed where the sum at issue did not exceed ten pounds. 4. Criminal cases and matters above ten pounds, to be determined in higher courts, and appeals to his majesty not to be hindered. 5. The proprietors to have the right of nominating two persons, one of whom, to be selected by the governor, to fill each commissioned office whether civil or military. 6. They were authorized, together with the major part of the settlers, to make such "prudential laws" among themselves as they might deem necessary. Answer to Bill, 14, 15. Grants and Concessions,

663. Albany Records, XXII. 433, 435, 436.

²⁶ Bill in chancery, p. 28. Douglas' Summary, 2, 263. Douglas says that Carteret made a visit to England six months after his arrival. He gives no authority, and there seems to be no grounds for the assertion.

²⁷ Bill in Chancery, p. 29; E. J. Records, B. 182. This proceeding of Carteret—purchasing an interest in the Nicholls grant, probably with the expectation, that at any time *his* purchase might be confirmed by the proprietors—afforded a strong point in the defence of the first settlers, inasmuch as they argued therefrom his acknowledgment of the justness of their claim.

pose, one half of the tract "known as Arthur Cull or Amboyle," as originally granted by Governor Nicholls; extending from the Raritan to Rahawack river, and running back into the country according to the Indian deed.²⁸ This deed was confirmed by another of similar tenor, dated 3d December, 1667; on the back of which, Pierce endorsed the names of those interested with him in the grant "that is for the accommodating of the Towne now called Woodbridge;" he to have the first choice. His associates were Joshua Pierce, John Pike, John Bishop, Henry Jaques, and Hugh March (or Marsh), of Newbury; Stephen Kent, of Havahill; Robert Dennis, of Yarmouth, and John Smith, of Barnstable, in New England.²⁹

On the same day, Pierce was commissioned as deputy-surveyor, to lay out the bounds of Woodbridge, and the proportion of land belonging to each individual; and on 1st June, 1669, he and his associates received a charter, which erected the tract of land therein described (said to contain six miles square) into a township, to consist of not less than sixty families.³⁰ On the 18th December, 1666, a week after he had obtained his first conveyance, Pierce transferred to John Martin, Charles Gilman, Hugh Dunn, and Hopewell Hull, one-third part of the land he had thus acquired; and they and their associates founded the town of Piscataway.³¹

Newark was first settled in 1666, and on the 11th July, 1667, Obadiah Bruen, Michael Tompkins, Samuel Ketchell, John Browne, and Robert Denison, purchased

²⁸ See Note E.

²⁹ E. J. Records, B. 182; and see Note E.

³⁰ E. J. Records. Bill in Chancery, p.

31. See Note F. Elizabethtown, by a resolution, passed "at a meeting court,"

February 19th, 1665-6, was to consist of eighty families, *vide* Bill in Ch. p. 32, and Answer to Bill, pp. 23, 24, for manner of apportioning lands there.

³¹ Bill in Chancery, p. 30.

from the Indians³² a tract of land “bounded and limited with the bay eastward, and the great river Pesayak northward; the great creek, or river in the meadow, running to the head of the cove and from thence bearing a west line for the south bounds, which said great creek is commonly called and known by the name of Weequahick; on the west line, backwards in the country to the foot of the great mountain,” [by a subsequent deed, dated 13th March, 1677-8, the limits were extended to the *top* of the mountain for two guns, three coats and thirteen cans of rum,] “called Watchung, being, as is judged, about seven or eight miles from Pesayak Towne. The said mountain, as we are informed, hath one branch of Elizabethtown river running near the above said foot of the mountain. The bounds northerly up Pesayak river, reach to the third river above the town. The river is called Yauntakah, and from thence, upon a northwest line to the aforesaid mountain.”³³ The consideration for which this tract, now so highly cultivated, and adorned with the snug cottage of the farmer, the splendid villa, the thriving village, and the increasing city, was relinquished by the Indians, consisted of fifty double-hands of powder, one hundred bars of lead, twenty axes, twenty coats, ten guns, twenty pistols, ten kettles, ten swords, four blankets, four barrels of beer, ten pair of breeches, fifty knives, twenty hoes, eight hundred and fifty fathom of wampum, twenty ankers of liquors, or something equivalent, and three troopers’ coats.³⁴

³² The grantors were *Wapamuk, Harish, Captamin, Sessom, Mamus-tone, Peter, Wamesane, Wecaprokikan, Cacnackque, Perawac.*

³³ E. J. Records, B. 68.

³⁴ The above is extracted from the deed as it appears on record; but Gordon, in his Gazetteer of the State, says

The settlers of Newark were from the towns of Guilford, Brandford, Milford, and New Haven, in Connecticut. The visit of Governor Carteret's agents, and the proclamation of the "Concessions" of the lords-proprietors, had drawn the attention of the inhabitants of those towns to New Jersey, and persons were sent soon after to explore the country. Their report was of such a favorable character, particularly as related to the district "beyond the marshes lying to the north of Elizabethtown," that arrangements were immediately made for the foundation of a settlement, by authorizing the selection and purchase of a suitable site.³⁵

Previous to their embarkation for their new homes, the emigrants from Brandford held a public meeting, (October 30th, 1666,) at which they adopted "two fundamental agreements, touching their intended design;" in accordance with the spirit of sectarianism and intolerance which then so generally prevailed among the Puritans of New England. They were as follows:—

"1st. That none shall be admitted freemen or free Burgesses within our Town, upon Passaick River, in the province of New Jersey, but such planters as are members of some or other of the Congregational Churches; nor shall any but such be chosen to Magistracy, or to carry on any part of Civil Judicature, or as deputies or assistants to have power to Vote in establishing Laws, and making or Repealing them, or to any Chief Military Trust or office. Nor shall any But such church members have any Vote in any such elections; Tho' all

the consideration was £130 New England currency, twelve Indian blankets, and twelve Indian guns. The goods may have been valued at £130.

³⁵ Gordon's Gazetteer of New Jersey. *Art.* Newark.

others admitted to Be planters have Right to their proper Inheritances, and do and shall enjoy all other Civil Liberties and Privileges, According to Laws, Orders, Grants, which are or hereafter shall Be Made for this Town.

“2d. We shall with Care and Diligence provide for the maintenance of the purity of Religion professed in the Congregational Churches.”

These articles, which throw no small light upon the characters of the founders of the leading city in New Jersey, were subscribed by twenty-three heads of families, and subsequently, by other settlers.³⁶

The tract for the settlement was selected under some expectation that Governor Carteret would have cleared it from all claims of the Indians; but this he was not authorized to do; and on the arrival of the first party of thirty families early in 1666, they were warned off the ground by the Hackinsack Indians, and obliged to relade their goods on board their vessels until an understanding with the claimants could be had. Some disposition was evinced to abandon the enterprise altogether, but at the solicitation of the governor and others, a council was held with the natives, and an arrangement

³⁶ See Town Records, p. 2. The document is headed with references to Deut. *I.* 13. Exodus, xviii. 21. Deut, xvii. 15. Jeremiah, xxx. 21; texts which read as follows: “Take you wise men and understanding, and known among your tribes, and I will make them rulers over you.” * * * “Moreover, thou shalt provide out of all the people, able men, such as fear God, men of truth, hating covetousness, and place such over them to be rulers of thousands and rulers of hundreds, rulers of fifties, and rulers of tens.” * * * “Thou shalt

in any wise set him king over thee whom the Lord thy God shall choose: one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother.” * * * “And their nobles shall be of themselves, and their governor shall proceed from the midst of them.” They may have secured very excellent rulers, but the whole document presents a marked contrast to the liberty of conscience guarantied to them by the proprietaries.

entered into, which resulted in the purchase already mentioned.³⁷

The first immigrants were from Milford and neighboring plantations in Connecticut ; but, on the 21st of May, 1666, it was agreed, at a meeting held "near to Elizabethtown and the Town Plotts on Passaic River," at which the agents of Guilford and Brandford were present, that, should an intimation to that effect be received before the following November, the associates from all the plantations should constitute only one township, 'to be of one heart and consent with God's blessing in endeavoring to carry on their spiritual concernments, as well as their civil and town affairs, according to God and a godly government.'³⁸ The town, in 1667, received the name of Newark, from the Rev. Abraham Peirson, their first minister, who had been ordained at Newark in South Britain.³⁹

³⁷ Edsall's and Treat's affidavits. Bill in Chancery, pp. 117, 118.

³⁸ Town Records. The compilers of the article "Newark," in Gordon's Gazetteer, from this document argue that there were distinct settlements formed by the immigrants from the different towns ; but the author conceives that at this period there was but one : the object of the agreement being to ensure an amalgamation with the first companies of those who should succeed them within the time specified.

³⁹ Among the other questions brought up in the controversy between the proprietors and the Elizabethtown claimants, was that of the settlement of Newark ; whether it was made under the Elizabeth Indian purchase or under the authority of the proprietors. In the Answer to Bill in Chancery, p. 47,

(and see Bill, p. 67,) the affidavit of Joseph Woodruff, an old man, is given in relation to the matter, in which he states "he had heard Governor Treat (of Connecticut) tell after what manner the line was settled between the two towns ; and that it was done in so loving and soleinn a manner that he thought it ought never to be removed ; for he (the governor) himself being among them at that time, prayed with them on Dividend Hill (so called) that there might be a good agreement between them ; and that it was agreed upon by the settlers of each town that the line between them should stand and remain from Dividend Hill, to run a northwest course ; and the governor said that, after the agreement, Mr. John Ogden (being one of the first purchasers) prayed among the people, and returned thanks for their loving agreement." It

Bergen, on the 22d September, 1668, received a charter, in many respects similar to that of Woodbridge ;⁴⁰ and, as the country became known, grants for lands in various quarters multiplied rapidly. Among those which may have led to the foundation of towns, besides some made "in the time of the Dutch," which were confirmed, the following may be specified.

On March 31st, 1668, a tract "between Haasimus and Jan de Lackers Point," was granted to Ide Cornelison Van Voorst : and on May 12th following, Nicholas Verlett, at that time one of Governor Carteret's council, received a confirmation of a grant for two hundred and seventy-six acres, called "Hoboken." He first settled there some time previous to 1656 ;⁴¹ although, as has been stated, his grant from the Dutch governor was not obtained until 1663.

On July 4, 1668, all the meadows and upland lying south of a line drawn from the Hackensack to the Passaic seven miles north from their intersection, (comprising five thousand three hundred and eight acres of upland, and ten thousand of meadow,) were granted to Captain William Sandford, for £20 sterling per annum, for ever, in lieu of the halfpenny per acre ; and on the 20th of the same month, Captain Sandford purchased the Indian title for "one hundred and seventy fathom of Black Wampum ; two hundred fathom of White Wam-

is gratifying to know that the hope of these worthy men has been realized, "Dividend Hill" being still recognized as one of the chief marks of the boundary between Elizabethtown and Newark ; and the passer from one to the other, as he crosses the stream known as Bound Creek (from the line's following its course to the bay), may see near

its head the scene of this "loving and solemn" proceeding—the hill sanctified by prayer. See Town Records, p. 8, for the certificate of the bounds agreed upon. This was May 20th, 1668.

⁴⁰ See Note G.

⁴¹ E. J. Records, B. 30. Albany Records, II. 325.

pum, nineteen match Coates, sixteen Guns, sixty double-hands of Powder, ten paire of Breetches, sixty Knives, sixty-seven Barres of Lead, one anker of Brandy, three half fats of Beer, eleven Blankets, thirty Axes, twenty howes, and two Cooks of dozens.”⁴² Of this Sandford, it is recorded, that he was not willing to “accept of any office in the commonwealth.” Nathaniel Kingsland, sergeant-major of the island of Barbadoes, became interested in this grant, and from him the tract derived the name of “New Barbadoes.”⁴³

In June, 1669, Captain John Berry, and his associates, received a grant for lands adjoining Sandford's, extending north “six miles into the country :” he had also a grant for land on the Hudson, north of Hoboken.⁴⁴

On the 12th of June, 1669, Govert Lookermans, and his associates, were confirmed in a purchase made by them of the Indian Remanatap, of several tracts and parcels of land “on the west side of Raritan's River over against Staten Island.”⁴⁵

⁴² These items are correctly copied from the records, but what “cooks of dozens” were the writer does not pretend to know. “Match Coates” were probably watch-coats originally. A patent was issued by the lords-proprietors on 26th March, 1671, to Captain Wm. Sandford in trust for Nathaniel Kingsland and his wife Mary, on 1st of June, 1671, transferred to Sandford, one-third of their right for the same sum, and this was confirmed by the governor and council, May 21, 1673. E. J. Records, B.131.

⁴³ The first settlers of New Barbadoes were Edward Ball, Nathaniel Wheeler, and one Baldwin, three of the first inhabitants of Newark, but they did not remain long, finding that Kingsland

and Sandford had a prior claim to the land [Lindsley's Aff. Bill, 112]. See Note H. for a farther notice of these last-named gentlemen.

⁴⁴ Berry became afterward a conspicuous character in the province, being left in charge of the government by Carteret, when the latter was obliged to leave for England, in 1672.

⁴⁵ The Indians had names for all their various tracts not always the most euphonious; those above mentioned were called “Kaoumous Manopock Kickawaran, Mattawack Hoppekonck, Toppecock, Sinckaroes, Connescken Heromanick, and Conwerans.” The grantee is the same individual whose voyage around Staten Island in 1663 is given in Note B.

A tract called New Hackinsack was granted January 6, 1676.⁴⁶

On 27th October, 1677, Richard Hartshorne obtained a lease of three acres, with the privilege of the exclusive range of Sandy Hook for the benefit of his cattle, in consideration of his intention to establish a fishery at that point, the lords proprietors reserving the right to erect what fortifications there they might think proper.⁴⁷ Captahem, an Indian sachem, on 28th March, 1679, executed a deed for "Haquequenunck"⁴⁸ to Hans Diderick, Gerritt Gerritsen, Walling Jacobs, Hendrick George and Company, of Bergen; and another deed from the governor and council for the same tract, with some slight variations in bounds, is dated March 16th, 1684.⁴⁹

On the 1st of November, 1681, a tract where now stands New Brunswick, was granted to John Inians and company.⁵⁰

⁴⁶ E. J. Records, Vol. II. Lib. I. part 2d, p. 140.

⁴⁷ Ibid. p. 91. Proud, in his History of Pennsylvania, I. p. 138, says this Richard Hartshorne came from London, September, 1669. He was a quaker of good reputation and benevolent disposition; occupied several public stations in the early times of the province, and left many descendants.

⁴⁸ Afterward spelt "Aqueyquinunke," the origin of the modern *Aquackanonk*. There were Dutch residents there as early as 1640, vide Albany Records, Vol. II. p. 101.

⁴⁹ The bounds of the first deed are "beginning from the Northernmost bounds of the town of Newark, from ye Lowermost part thereof to the uppermost, as far as the steep rocks or Mountains, and from thence to run all along the said Pisawycck River, to a white oak tree standing

near the said river on the north side of a small brook, and from thence running up to the steep rocks or mountains," &c. The bounds of the second deed were somewhat similar, but the river line ran up to the "great falls," and so along the steep rocks to the Newark bounds. The consideration to the proprietors was £50 sterling, and an annual rent of £14 sterling. (Records, A. 165.) The name of Hendrick George does not appear in the confirmatory deed, but in addition to the others we have *Elias Hartman, Johannes and Cornelius Machielson, Andrian Post, Urian Tomason, Cornelius Rowlafson, Simon Jacobs, John Hendrick Speare, Cornelius Lubbers, and Abraham Bookey*. These were principally from Bergen, then a chartered township of eleven years standing.

⁵⁰ E. J. Records, Vol. II. Lib. I. part 2d, p. 152.

The grants and purchases which have thus been specified, are all that have been noticed as being the probable foundation of towns or extensive settlements, during the administration of Governor Carteret; and we will now return to the consideration of the events which marked its course.

Recommended by its favorable position, immediately adjoining the already well peopled province of New York,—offering to the settlers a market for their spare productions as well as for the results of their traffic with the Indians, and enabling them to obtain, with comparatively little difficulty, all the necessaries they required—New Jersey gradually filled with an enterprising and industrious population. The natives are uniformly mentioned as being a benefit rather than an injury to the new settlements, furnishing furs, skins and game, the obtainment of which, without their intervention, would have been attended with difficulty and much loss of time. The different tribes being generally or entirely connected with, or subordinate to, the confederated Indians of New York, over whom the governors of that province exercised a controlling influence, the inhabitants of New Jersey enjoyed peculiar protection, although the effect of kind treatment was such as mainly to render them independent of its exercise. The proprietaries evinced no disposition to deprive the natives of their lands without making, what to their untutored minds seemed adequate remuneration; they protected them from frauds by requiring all purchases of land to be made through the governor and council, and encouraged the exercise of justice, humanity and conciliation in all intercourse with them.⁵¹ These circumstances preserved the province

⁵¹ "If our Governor and Councillors shall happen to find any Natives in our said Province and Tract of Land aforesaid, that then you treat them with all

from those unhappy collisions, which had operated so materially to the disadvantage, oftentimes to the vital injury of new settlements in other parts of the country, and of which the previous Dutch settlers had, as we have seen, had some experience.

These inducements, combined with a fruitful soil, a salubrious climate, and the liberal concessions of the proprietaries, made a residence in New Jersey extremely desirable; and it is recorded by an old historian, that it was thought by some, even "worthy the name of paradise," because, in addition to its natural advantages, it had no lawyers, or physicians, or parsons.⁵²

Not until the third year after his arrival did governor Carteret consider the growth and circumstances of the province such as to require any legislation for the government of the people, other than the prescribed regulations of the lords proprietors. But, on the 7th of April, 1668, he issued his proclamation,⁵³ requiring the freeholders of each town to make choice of two able men that were freeholders and dwellers within their limits, to be their Burgesses and Representatives in a general assembly, to

Humanity and Kindness, and not in any wise grieve or oppress them, but endeavor, by a Christian carriage, to manifest Piety, Justice and Charity, and in your Conversation with them, the Manifestation whereof will prove Beneficial to the Planters, and likewise Advantageous to the Propagation of the Gospel." Instructions to Carteret, Grants and Concessions, 30.

⁵² Oldmixon's Brit. Empire I. 144. The guarantee of liberty of conscience was one great inducement for emigration to New Jersey, particularly from New England, where the recollection of persecution at home, still lived vividly

impressed upon the hearts and minds of the "exiles for conscience' sake," although in their own conduct disposed to be equally as intolerant. Wynne, in his Genl. Hist. Brit. Emp. 206, 207, says, "It is pretended by some people that this heterogeneous mixture of different religions was probably encouraged by the Duke of York, that he might make an experiment of that *favorite* toleration which he afterwards, so fatally for himself, attempted to introduce into England." That toleration was a *favorite* idea of the Duke of York, sounds somewhat strangely.

⁵³ See Note I.

be held at Elizabethtown, on the 25th May. He had chosen for his council Captain Nicholas Verlett, Daniel Pierce, Robert Bond, Samuel Edsall, Robert Vanquellen,⁵⁴ and William Pardon, and had appointed James Bollen secretary of the province.

The proclamation of the governor being acted on, the first assembly in the history of New Jersey commenced its session on the 26th, and closed on the 30th May.⁵⁵ During the session, a bill of "pains and penalties" was passed, identical in some respects with the Levitical law, and legislation had upon other subjects, "which by reason of the week so near spent, and the resolution of some of the company to depart,"⁵⁶ were postponed for full consideration to the ensuing session in November, to the 3d of which month they adjourned. Thirty pounds were levied on the different towns to defray the "public charges," five pounds being the proportion of each, from which we judge that the population was about equally divided at that period. At the time appointed, the assembly again met, but the seeds of dissension between the popular branch and the council (which subsequently, not only in New Jersey but in every other province, became so prolific of evil) were

⁵⁴ It is not certain that these were all qualified as subjects of the king of England. Mr. Vanquellen, a native of Caen in France, although surveyor-general also, was not naturalized until 8th March, 1669-70.

⁵⁵ This was fifteen years in advance of the first assembly in New York, and without doubt the existence of an assembly in New Jersey, had no little weight in bringing about the concession of one to the people in the adjoining province. It was composed of the following "Bur-

gesses:"—*For Bergen*, Gasper Steenmetts and Balthazar Bayard: *For Newark upon Pishawack River*, Captain Robert Treat and Samuel Swarne: *For Elizabethtown*, John Ogden, sen'r., and John Brackett: *For Woodbridge*, John Bishop and Robert Dennis: *For Middletown*, James Grover and John Bound, and the last named also represented *Shrewsbury*.

⁵⁶ Governor's Message in Grants and Concessions, p. 84.

already sown, and prevented much legislation. A few acts were passed, referring to the militia, weights and measures, fines, and dealings with the Indians, but on the fourth day of the session the assembly adjourned *sine die*, and seven years elapsed ere another met.⁵⁷

The people of Middletown, having been authorized in their grant from Nicholls to pass such prudential laws as they deemed advisable, and not being disposed to acknowledge the claims of the lords proprietors, refused to publish the laws passed at the first session of the assembly, and would not permit them to be enforced within their limits, although their own representatives had assisted in framing them.⁵⁸ Consequently, when the deputies from that place and Shrewsbury presented themselves at the subsequent session, they were not permitted to take their seats unless they would first subscribe the prescribed oaths of allegiance and fidelity. This they would not do, except with limitations, and the towns were therefore unrepresented.⁵⁹ An act was passed, appointing commissioners to visit both places, to collect the amount due from them on account of the rates levied during both sessions to meet the public charges, and to learn the true position of the inhabitants in relation to the authority of the proprietaries. This appears to have been the first exhibition of open hostility to the government of Carteret; other and greater troubles were soon to follow.

⁵⁷ See Note K, for the correspondence between the two houses.

⁵⁸ E. J. Records, Vol. II. Lib. 3, p. 25.

⁵⁹ Grants and Concessions, p. 85. The other deputies were the same, excepting Jacob Mollins, for *John Brackett*, of Elizabeth; Jasper Crane, for *Samuel*

Swarne, of Newark; Samuel Moore, for *John Bishop*, of Woodridge; and the addition of Peter Jegon and Fabrus Outout, as deputies from Delaware river. The dismissed delegates from Middletown and Shrewsbury, were Jonathan Holmes, Edward Tart, Thomas Winter-ton and John Hans.

It is not surprising, that such varied motives as operated to bring inhabitants to New Jersey should have produced among them after settlement a diversity of interests, engendering strife, and tending to the formation of parties;⁶⁰ but still, with the exception of the difficulties just mentioned with Middletown and Shrewsbury, Governor Carteret was allowed to exercise the chief authority with comparatively little opposition, until the time fixed for the payment of the quit rents due from those holding lands under the concessions of the lords proprietors. The 25th March, 1670, was the day on which the first payment was to be made, and its arrival caused the suppressed passions of those inimical to the existing government to break forth at once in decided and violent opposition.

The Elizabethtown settlers, asserting their right to the lands confirmed to them by Colonel Nicholls, served as a centre or rallying point for the disaffected of all parties, and amid the many jarring elements of discord the claims of the proprietaries' officers were treated with contempt. Regardless alike of their oaths of allegiance, (which many of them had taken,) of their duty to the government whose liberal concessions were among the chief inducements for settlement within its jurisdiction, and of their implied faith in having conformed to the regulations of that government, (as a large number of them had done,) for the purpose of obtaining the Indian title to their lands; the title thus acquired they attempted to uphold as superior to any rights the proprietaries could

⁶⁰ Rogers, in his *Hist. North America*, London, 1765, says, "among them were some of almost every religious persuasion under heaven; they were like so

many jarring elements pent up together, and could not be reduced or reconciled to any settled form of government."

have, and following the example of Middletown and Shrewsbury, even claimed the right of government within their respective tracts.

The governor struggled manfully against the spirit of anarchy which was abroad. Some changes were made in his council;⁶¹ the Courts of Bergen and Woodbridge, the only two then established in the province,⁶² were authorized to try all causes brought before them, although the parties might come from beyond the limits of their respective towns;⁶³ those corporations were warned against allowing any persons to hold office or exercise the rights of citizens under their charters unless they had patented their lands and become legal freeholders,⁶⁴ and the discontented were urged to comply with the terms of the concessions, and take out their patents; but all his measures were unavailing; the number and influence of his opponents prevented all proper enforcement of his authority.

Two years had passed away in this state of anxiety and confusion, when, on the 14th May, 1672, the disaffected inhabitants sent deputies to an Assembly of their own constituting at Elizabethtown, which they professed to consider as representing the entire province; and selected James Carteret, an illegitimate son of Sir George, then among them, a weak and dissipated young man, as

⁶¹ John Pike and John Bishop, Jr. of Woodbridge, and Lawrence Anderson, of Bergen, were appointed in 1670, and Captain John Berry, in 1669, but it does not appear whom they superseded.

⁶² Courts were not then thought so necessary by provincial governors, or by the people, as in later times. During the administration of Governor Nicholls in the more populous province of New

York, not a court was established. Smith's N. Y. says, "he took upon himself the sole decision of all controversies whatsoever. Complaints came before him by petition, upon which he gave a day to the parties, and after a summary hearing pronounced judgment."

⁶³ E. J. Records, Liber III. p. 36.

⁶⁴ *Ibid.*

a fit instrument to carry out their pretensions to the government.⁶⁵ They prevailed upon him to assume the chief authority, as delegated by them, and—with an inconsistency hard to be accounted for, conceding to them any honesty of purpose in their rejection of the rightful governor,—allowed him also to plead a title to it through a grant from his father; which however he did not think himself obliged to produce. Counter proclamations ensued, but the power to enforce obedience seems to have been with the usurper; officers of the government were imprisoned and their estates confiscated.⁶⁶

In this crisis the Governor's Council advised him⁶⁷ to

⁶⁵ E. J. Records, Liber III. p. 53.

⁶⁶ Eliz. Bill in Chancery, p. 35. E. J. Records, Liber III. p. 64, &c. On 25th May, 1672, James Carteret issued a warrant for the apprehension of William Pardon, directing the constable to keep him in custody until he delivered up the acts of the general assembly. Pardon refused to do so, and escaped from the constable. On the 25th June, John Ogden issued an attachment upon his moveables, and on 9th July, James Carteret issued another against his houses and land, stating that Pardon had escaped and gone to England. Pardon subsequently returned, and as a remuneration for his losses, was appointed Receiver General, and received a grant of 500 acres of land, July 16, 1674.

It is gratifying to every Jerseyman who rightly regards these disorganizing proceedings, to find Mr. Bancroft in the late editions of his second volume materially changing the character of his remarks, after his attention was drawn

to the manifest impropriety of regarding them in any thing like a favorable light. It is somewhat remarkable that his usual research should have been so much at fault as to permit of a passage containing such language as the following: "Disputes were followed by confusion, the established authority fell into contempt: and the colonists, *conscious of their ability to take care of themselves*, appointed their own magistrates, and managed their own government. Philip Carteret *withdrew to England, leaving the colonists to domestic peace.*" Bancroft II. 318, early editions. Alas! for the teachings of history, if broken faith, insurrection and injustice can be thus lightly passed over.

Grahame makes Philip Carteret's departure to have been anterior to the appointment of James as governor, which gives a different aspect to the transaction.

⁶⁷ E. J. Records, Liber III. p. 27, under date of June 15th.

go to England, with the view of explaining in person the situation of the province, and obtaining a confirmation of his authority, "thereby" (as they expressed themselves in a letter to the proprietaries, of which they made him the bearer) "to endeavour the curing of the wound by speedy medicine, which delay might cause to gangrene." This advice the governor thought proper to follow. On the 1st July he commissioned John Berry as deputy-governor during his absence, and sailed for England in company with James Bollen the secretary.⁶⁸ Their reception by the Lords Proprietors was all that they could have expected or desired. The Duke of York, at the request of Berkeley and Carteret, wrote to Governor Lovelace,⁶⁹ who had succeeded Nicholls in the government of New York May, 1667, notifying him, and requiring him to make the same known to the insurgents, that the claims which had been advanced would not receive from him the least favor; on the contrary, he was desired to aid the proprietaries in their plans for the settlement of their province and for maintaining peace within it.⁷⁰ This letter was followed by a missive to Deputy-Governor Berry from King Charles himself, dated December 9th, confirming his authority and commanding obedience to the government of the Lords Proprietors.⁷¹

⁶⁸ E. J. Records, Liber. III. p. 54. Bill in Chancery, p. 35. Under date of July 1st, there appears on record a Declaration from Governor Carteret, that certain accusations made against him, were *entirely false*: They were, 1st. That he had a considerable quantity of arms and ammunition in his possession, which were sent by the lords for the use of the province. 2d. That he had a considerable stock of money committed to his

charge by the lords to purchase the lands from the Indians 3d. That he had forbidden the inhabitants training under pain of death.

⁶⁹ November 25, 1672.

⁷⁰ From this, we may reasonably believe that the disaffected had looked for support and protection to the successor of Governor Nicholls.

⁷¹ Bill in Chancery, 35; Grants and Concessions, 31.

Other documents from Berkeley and Carteret, executed the same month, expressed in temperate yet decided language, their determination to support the rights vested in them, and which had been thus fully confirmed; and the insurgents were called upon thereafter to yield due obedience, as they had not exhibited the regard for their interests in the province that justice and equity demanded. Such explanations and alterations, in relation to the concessions, were made, as the disposition of the people and circumstances of the province seemed to require. The power of the general assembly was restricted by vesting in the governor and council alone the appointment of ministers,—the right to nominate being left with the several townships. The authority to regulate the meetings and adjournments of the assembly;—to establish courts in particular corporations already settled;—to apportion lands and to nominate and appoint officers;—all which had previously been possessed by the assembly alone, was also transferred to the governor and council; and to them was now assigned the exclusive right of admitting planters and freemen. The quit rents in arrear, were to be paid in three years from 1673, in addition to the growing rent of those years.⁷²

The documents were received and published by Deputy-Governor Berry in May 1673,⁷³ and a certain time allowed the malcontents to comply with the terms of the proprietaries. We hear nothing more of James Carteret. It is to be presumed that he sunk to the low estate whence he was taken to answer the purposes of the in-

⁷² See Grants and Concessions, pp. 32 to 41, for the various documents.

⁷³ Bill in Chancery, p. 37. They were published at Bergen 5th, Elizabethtown 6th, Newark 7th, Wood-

bridge 8th, Middletown 10th. (Bill, Appendix, 31.) About this time the prison of the province was ordered by the council to be at the house of Captain Berry, in Bergen.

surgents.⁷⁴ No feelings of exultation which may have been experienced by the friends of the proprietaries led them to disregard the trying situation of their opponents; and the deputy-governor and his council issued an order with the intent 'to prevent deriding or uttering words of reproach to any that had been guilty of the riot.'⁷⁵

Before the time expired in which the proffered terms of the proprietaries were to be acceded to, the Dutch were again in possession of the country. War had been declared against Holland by Charles, in conjunction with Louis XIV. of France, in March 1672, and—as if the recollection of the unwarrantable manner in which they had been dispossessed of the New Netherlands prompted retaliation on the same ground—the States General despatched a squadron of five vessels against New York, which arrived in July 1673; and on the 30th of the same month possession of the place was obtained without difficulty.⁷⁶

No harshness was exhibited towards the English residents, and a proclamation, guaranteeing continued possession of rights and certain privileges on condition of swearing allegiance to the States General, brought to "New Orange," as they had named the city, all the ma-

⁷⁴ Of the previous life of this young man, nothing is known by the writer excepting that he had been in Carolina before his appearance in East Jersey, and in 1671, in company with John Locke, had been created a *landgrave*, one of the hereditary orders established in that province. (Oldmixon's Brit. Emp. I. 335.) Sir George in his will, left him £100 per annum, on condition that he should within two years, resign all title to lands in the Island of Jersey; in

case he should not, the legacy was to go with other property to a grandson named Philip.

⁷⁵ E. J. Records, Liber III. p. 92.

⁷⁶ Smith's N. Y. I. 39; Dunlap's N. Y. I. 128. Historians have generally asserted that the fort was obtained possession of through bribery, but the N. Y. Colonial Records make the matter rather doubtful. It is there made to appear that the fort fought four hours, and until all the ammunition was expended.

gistrates and constables from the surrounding country, East Jersey and the settlements on Delaware Bay included, the majority of whom took the oath.⁷⁷

Commanders Benckes and Evertsen, and Captains Colve, Boes, and Van Tyle, constituted the supreme military tribunal at New Amsterdam, by whom the regulations above mentioned, for the government of the conquered province, were established. Subsequently, on the 18th August, a petition was received from the inhabitants of Elizabethtown, Newark, and Piscataway, in relation to the rights and privileges that were to be secured to them, which was immediately acted upon by the tribunal. They were confirmed in the possession of their lawfully acquired lands, and placed on an equality, as regarded privileges, with the Hollanders; and should they conduct themselves orderly, they were not to be required to take up arms against England. The laws of the Netherlands were to determine the descent of their property, but they were at liberty to dispose of it by will as they might think proper, or remove it with themselves out of the province under certain regulations; and liberty of conscience was accorded to them to the same extent as it existed in the mother country. These terms appear to have met the wishes of the petitioners, and were also acceded to by the inhabitants of Woodbridge, Shrewsbury, and Middletown.⁷⁸

⁷⁷ Smith's N. Y. I. 39. Some doubts have been expressed of the extension of the resumed government of the Dutch over the settlements in New Jersey, arising probably from an assertion to that effect (to obtain a legal end) in the Answer to the "Elizabethtown Bill in Chancery," (p. 10.) but evidence to the

contrary is abundant, as will be seen in the text.

⁷⁸ Albany Records, Vol. II. 353, XXIII. 264, &c. Captain John Berry, William Sandford, Samuel Edsall and Lawrence Anderson, holders of large and detached plantations, received separate confirmations of their privileges.

Doubtful of the attachment of the people, or fearful, it may be, of their obedience, the authorities at Fort William Hendrick did not rest satisfied with the oaths of the magistrates only, but early in September appointed commissioners to visit the several villages of New Jersey, or "Achter Kol," as they termed the province in their official documents, and exact the same from each inhabitant, and the duty was performed in Newark, Elizabethtown, Woodbridge, and Middletown; the inhabitants of Bergen probably being considered too much in their interest to require the binding influence of an oath. A report was made of the names of those to whom the oath was administered, as well as of those who were absent, some of whom subsequently complied with the requisition.⁷⁹

On the 1st of October, provisional instructions were issued to the different sheriffs and magistrates of the several towns, but in New Jersey these were superseded by a code of laws promulgated "By the Schout and Magistrates of Achter Kol Assembly, held at Elizabethtown, to make laws and orders" on the 18th of November.⁸⁰ This code does not appear to have been framed with reference to the English laws then in force, which it was intended to subvert. It was singularly mild in the character and extent of the punishments to be inflicted on transgressors; the principal aim of the legislators being, apparently, the protection of the province

⁷⁹ Albany Records XXIII. 310; XXII. 344. We have the names of 44 in Woodbridge, and 5 absent; 81 in Middletown, 50 in Elizabethtown, and 21 absent; 73 in Newark, and 11 absent. A similar record of those swearing allegiance to the English Government in 1665, and years following, is in E. J.

Records, Vol. II. Lib. 3. On 1st October, the plantation of Major Kingsland was ordered to be sold on the ensuing 20th, probably confiscated, although subsequently restored to the family.

⁸⁰ Albany Rec. XXII. 375. XXIII. 19.

from the demoralizing effects of sensual indulgence and other vicious propensities, while not unmindful of the needful regulations to secure such rights as, in the infancy of society, become of the first importance. The observance of the Christian Sabbath, the employment of ministers, and the erection of churches, received also a share of their consideration; but the whole code became soon a nullity through the abrogation of the authority under which it was enacted.⁸¹

Anthony Colve, captain of one of the vessels composing the squadron, was invested with the chief authority during the short time the provinces remained in the possession of the States General, but on the 9th February, 1674, a treaty of peace with England was signed at Westminster, the sixth article of which restored the country to the English, and they continued thereafter in undisturbed possession until the war which secured the independence of the United States of America.⁸²

⁸¹ Officers were nominated for Ahasimus, Bergen, Elizabethtown, Newark, Woodbridge and Piscataway, as late as August, 1674. Albany Records, XVII. 441, 457.

⁸² During Colves' administration he ordered "all the arms and other goods belonging to the late Governor Carteret" to be transmitted to him at "Fort Wm. Hendrick," and the execution of the duty was assigned to "Schout John Ogden, and Secretary Samuel Hopkins." They reported that "Robert Laprie carried off different goods from the house of Philip Carteret, which he declines to restore; and further, that one Jonathan Singleterry refuses to obey their orders, on which it is commanded to apprehend aforesaid persons and to conduct them hither." Albany Records XXIII. 44, 306, 315. We learn from the Elizabethtown Bill in Chancery

(113) that *Robert Laprairie* (presumed to be the same individual mentioned above) was an *alias* of "Robert Vanquellin," the proprietaries' surveyor, and one of the governor's council: so that we may suppose his abstraction of Carteret's property was an act of friendship intended to guard it from his enemies. Mr. Bancroft, in the earlier editions of his History of the United States, referred particularly to page 315 of these Records, to prove the *humanity* of the people in not confiscating the property of the governor after driving him from the province. The passage in subsequent editions he has very properly omitted, for it is difficult to conceive *how* the records can be made to bear upon the point, and if they did, still more difficult to explain how refraining from committing an undoubted wrong could be construed into an act of humanity.

On the conclusion of peace, in order to remove all grounds for objections to his title on account of the recapture of the country by the Dutch, and subsequent relinquishment to the crown,⁸³ the Duke of York obtained from the king a new patent, similar to the first, dated June 29th, 1674, and on the 1st July Edmund Andros was appointed governor under it.⁸⁴ Chalmers, in his Annals, seems to imply that the duke was glad to avail himself of the plea afforded him by the change in the government of his territories, to regain possession of New Jersey, the loss of which Governor Nicholls had so deeply deplored.⁸⁵ It may be that this was his intention, for a brief period, so far as related to the *government* of the province, from the fact that Andros was directed to take possession of the province of New York and "its dependencies," which, in the words of his commission, included "all the land from the west side of Connecticut River to the east side of Delaware Bay," although it does not appear that these directions were complied with by Andros on his arrival at New York, October 31st, 1674, so far as New Jersey was concerned. But on the 9th November, he issued a proclamation, in which he expressly declared that all former grants, privileges, or concessions heretofore granted, *and all estates legally possessed by any* under his royal highness before the late Dutch government, were thereby confirmed, and the possessors by virtue thereof to remain in quiet possession of their rights.⁸⁶

⁸³ Douglas' Summary, II. 223.

⁸⁴ Grants and Concessions, 41; Answer to Bill, 10.

⁸⁵ Chalmers, p. 616. See Note C.

⁸⁶ Chalmers, p. 617. The history of this period is exceedingly confused, and

although Chalmers had access to documents not to be met with on this side of the Atlantic, but which it is hoped the legislature of the state will ere long adopt measures to secure, yet he rather adds to, than lessens the obscurity. He

Whatever hesitation the duke may have felt about restoring New Jersey is said to have been removed solely by his affection for Carteret, which influenced him to grant what was considered to militate against his own interest and the prosperity of New York. The pleasure of his royal brother may have had some weight with him, as it is well known that Carteret was a favorite of the king. A proof of this given at this time, is found in a letter from Charles, bearing date the 13th June, 1674, (before the new patent to the duke was granted,) confirming again the title and power of Carteret in East Jersey.⁸⁷

On the 28th and 29th July, 1674, Sir George Carteret received his renewed titles from the duke, equally full as to rights and privileges, but which gave to him individually all the province north of a line drawn from a certain "creek called Barnegat, to a certain creek in Delaware river next adjoining to and below a certain creek

speaks of the duke as having "hesitated long" about his grant to Carteret, and of the passage of a year or more without its execution; yet we find from the document itself, unless it was antedated, that it was given within a month after the receipt of the new patent from the king. Chalmers also states that before the receipt of any intelligence from England of the reconveyance of East Jersey to Carteret, Andros had extended his authority over the whole province. But it is doubtful if he attempted to take East Jersey under his control until after the death of Sir George, in 1679; and Carteret was in the province and officiating as governor in less than a week after Andros received the surrender of the fort at New York. There is certainly nothing in the New York Colonial Records

that indicates any hesitation on the part of the duke to confirm the rights of Carteret at this time, and the writer is of opinion that all the misapprehensions of Chalmers grew out of his not discovering the grant of 28-29th July, 1674, which was certainly the one drawn up by the duke's council, in accordance with the order given them under date of 23d July, to which he alludes, and which is among the other colonial documents of New York, recently obtained. The instructions to the Governor in February following, to which he refers, and which will be hereafter introduced, related exclusively to the customs and other perquisites.

⁸⁷ Grants and Concessions, 49; Bill in Chancery, 38.

in Delaware River called Renkokus Kill"—a stream south of Burlington.⁸⁸ Berkeley had previously (March 18th, 1673,) parted with his right in the province to John Fenwick, but whether or not any negotiation with him preceded the granting of these new deeds, has not been determined. They certainly secured to Carteret considerably more than a moiety of the province. It was not until two years afterward that the deed of division (known in the history of the state as the "Quintipartite Deed") was executed.

Governor Andros and his council were vested with all the functions of government within the limits that have been specified, and the former's characteristic tyranny and subserviency well fitted him to exercise the power thus conferred to its full extent, to gratify his masters views of policy and interest. Conversant as he was, however, with the transactions in England subsequent to the date of his commission, by which East Jersey had been transferred to others and a governor appointed for it,⁸⁹ he did not presume, at first, to assert his authority over the province farther than to empower William Dyre, collector of the duke's revenues in New York, to collect also within New Jersey the customs which his highness had "thought proper to establish throughout his territories;"⁹⁰ thus imposing upon the inhabitants of a province, which he had transferred to others in as full and ample manner as it had been obtained by him, exactions which his own people of New York considered exceedingly burdensome, if not illegal, when imposed on them.⁹¹

⁸⁸ Grants and Concessions, p. 46.

⁸⁹ It is not improbable that he and Philip Carteret were fellow-passengers

across the Atlantic. They must have arrived about the same time.

⁹⁰ Chalmer's Annals, p. 617.

⁹¹ Dunlap's N. Y., I. p. 132.

Philip Carteret had remained in England during the occupancy of the Dutch and subsequent negotiations ; but on his brother's obtaining a new grant for East Jersey, he was recommissioned as governor, July 31, 1674,⁹² and returned to the province, bringing with him a confirmation of the alterations made in the Concessions on December 6th, 1672, and also such farther regulations relative to laying out of the lands, payment of quit rents, and the obligations of the settlers, as the situation of the province required.⁹³

The unsettled state of their affairs appears to have led the people of East Jersey to regard with satisfaction the return of their governor. He published his commission and the other documents with which he was furnished, at Bergen, November 6, 1674, in the presence of his council and commissioners from all the towns except Shrewsbury, and the internal peace of the province was in a great measure restored.⁹⁴

As yet, no settlement had been made in West Jer-

⁹² Grants and Concessions, p. 58.

⁹³ Grants and Concessions, p. 50. The chief actors in the rebellion were required, upon publication of these new concessions, to petition the governor for a remission of their offences. The inhabitants of "Navysink," (Middletown and Shrewsbury,) in consequence of their faithfulness to the lords proprietors, were to have their townships surveyed and incorporated, and such as had claimed to be patentees and purchased lands from the Indians, were to have 500 acres each allotted to them. To such settlers as would locate themselves on any river ten miles from the sea, eighty acres were to be given ; those settling at a less distance to receive sixty acres. The lord proprietor engaged to

build a prison and a house for the keeper out of the quit rents. Purchases from the Indians were to be made in his name, by the governor and council, the expense to be reimbursed by the settler.

⁹⁴ Bill in Chancery, p. 40. A long opinion, signed John Hollis, William Leck, William Williams, John Hoyle, John Holt, Wm. Thompson, Richard Wallup, and Henry Pollexfen, adverse to the claimants under Nicholls' grant, said to have been obtained about this time, is to be found on the same page. Grahame, Gordon, and others, in order to make after events conform to Chalmer's narrative, place the governor's return in 1675, but it was in 1674, as stated in the text.

sey under the Duke of York's grant; but in 1675, John Fenwick (to whom that section of the province had been sold in trust for Edward Byllinge), with many others, came over in the ship Griffith from London, and landed at what is now Salem, so called by them from the peaceful aspect the site then wore; but a difference arising between Fenwick and Byllinge, no others followed for two years. This difficulty was settled, subsequently, to the satisfaction of both parties, through the intervention of William Penn;⁹⁵ and Byllinge's interest was transferred to Penn, Gawen Lawrie, and Nicholas Lucas, as trustees for Byllinge's creditors, he being deeply involved in debt through commercial losses.⁹⁶

The duke having induced Sir George to relinquish the grant of 29th July, 1674, in order to perfect a more equitable division of the province between him and the assignees of Lord Berkeley, by making the partition line run from Little Egg Harbor to a point on the Delaware River, in forty-one degrees north latitude;⁹⁷

⁹⁵ To this circumstance, Watson, in his *Annals of Philadelphia*, ascribes the settlement of Pennsylvania; as Penn, when arranging the affairs of Byllinge, became so well acquainted with the locality and the goodness of the country, that he was induced to procure Pennsylvania for himself.

⁹⁶ See Answer to Bill, p. 18, for some interesting information relating to the division of the province, in a letter from A. Langhorne. The assertion of the duke, as there stated, that the grant to Sir George, of 29th July, was obtained from him "by surprise," can hardly be believed by any one who has had an opportunity of examining the records.

⁹⁷ The first attempt to run this line,

was made in 1687, by George Kieth. About sixty miles of it was traversed, but it was thought unjust to the western proprietaries, and it was not until 1743 that the whole line was gone over by John Lawrence, appointed by commissioners acting under authority of the legislature granted in 1719. To this line the eastern proprietors adhere, but it has ever remained an unsettled question between the two divisions, what should be considered the true boundary of their respective lands. For a particular statement of the controversy, the reader is referred to Gordon's *N. J.* pp. 71-75; Smith's *N. J.* p. 195, and pp. 546-557; and to a Pamphlet containing the "Petitions and Memorials of the Proprietors

the deed of division which has been referred to, was executed between Sir George Carteret and the proprietaries of West Jersey, on the 1st of July, 1676;⁹⁸ and from this time the measures taken to advance their respective portions were entirely separate and independent. In 1677, the ship *Kent*, after a tedious passage, arrived at Newcastle; but the commissioners sent over by Penn and the other trustees, having selected the site of the present Burlington, the emigrants, two hundred and thirty in number, removed thither. Other vessels following, Burlington and the adjacent country soon became thickly populated; but the scope of this work will not allow of a particular examination of the progress of settlements in West Jersey.⁹⁹

The tranquillity prevailing after the return of Governor Carteret, was not of a character to endure long. The malcontents of Elizabeth and other towns had become quiescent from the force of circumstances. Their being so, affords no evidence of a change in their opinions, for they continued as inimical to the interest of the proprietary as before the governor's return; wanting only a fit opportunity to resume their schemes in opposition to his authority. Every addition to the population, however, served to strengthen the government, and we, therefore, find no attempt at any farther open revolutionary movements. To their disposition to advocate

of East and West Jersey," printed by Shepard Kollock, New York, about 1786.

⁹⁸ Grants and Concessions, p. 61. Answer to Bill, p. 18.

⁹⁹ See Smith's and Gordon's Histories. Both having a more intimate acquaintance with West Jersey, and one of them a resident, they have naturally

dwelt more at length on the history of that province; but there is much yet for the antiquarian to discover and bring to the knowledge of the public. Johnson's 'History of Salem' and Mickle's 'Reminiscences of Gloucester,' are valuable contributions to the history of that portion of the state.

any measures tending to weaken the authority, or conflicting with the title of the proprietary, may be attributed, in all probability, many of the subsequent acts of Governor Andros; for it can hardly be presumed that he would have ventured upon some of his ultra proceedings without the countenance of a party in the province.¹⁰⁰

The exaction of the customs in New Jersey, by direction of the Duke of York, operated more to the prejudice of the inhabitants on the Delaware than to those of East Jersey, the latter having less need of a direct trade with foreign ports, from their proximity to New York.¹⁰¹ In 1676, however, Governor Carteret, desiring to foster a spirit of commercial enterprise in the people, and disposed to adopt every scheme promising any advantage to the province, began to enter and clear vessels at Elizabethtown; but Andros steadily opposed what he was pleased to consider an infringement of his master's right, and supported by superior power, was enabled effectually to prevent the realization of any benefit by the inhabitants of East Jersey from the governor's projects.¹⁰²

¹⁰⁰ Douglas, II. p. 287.

¹⁰¹ These duties were first imposed by Governor Lovelace, in 1669. They were at first *ten per cent* on all imports and exports; but at the time referred to in the text, they were *five per cent* on the invoice cost in England, of all the goods brought out by the settlers. It was rightfully considered by them as an actual "tax upon planting" most arbitrarily exacted, and they resisted the payment with all their power. Smith gives a most spirited and well written document connected with the controver-

sy, in a representation to the duke's commissioners (ordered to investigate the subject,) from the West Jersey proprietaries. Hist. N. J., p. 117.

¹⁰² Chalmers, p. 618, and see Note L. In 1679 a proclamation was issued by Carteret, declaring Amboy free to all vessels trading to East Jersey, and thereupon one Hooper entered his vessel there from Barbadoes; but Andros had her brought up to New York, and obliged her master to enter at that port and pay his duties before being permitted to land his goods in East Jersey. (Representa-

The Duke of York paid but little regard to these disputes. Too well disposed to foster his own interests, even to the sacrifice of justice, he expressed his unwillingness to resign any of the prerogative which he claimed always to have exercised over New Jersey, although it may have been allowed to remain in some measure dormant in compliment to Carteret, but "favors might at a future day be claimed as right."¹⁰³ The only melioration that could be obtained from him was a limitation in the exaction of the duties to three years longer, and as they were as unpopular in New York as in New Jersey, universal discontent was the consequence.¹⁰⁴

This disposition of the duke to uphold his asserted right to the customs which had been imposed, and possibly the intelligence of Sir George Carteret's death, which occurred in England early in 1679, seem to have inspired Andros with fresh vigor in his crusade against the government of East Jersey. The fact that the pro-

tion of Attorney Gen'l. Graham to Lord Bellamont, June 30, 1698, in New York Col. Papers.)

In April, 1679, an act was passed authorizing the appropriation of 150 pounds "for the security and encouragement" of any vessel that should arrive in the province for the purpose of traffic, and go through the formalities of entering and clearing at the Elizabethtown Custom House; in case she should, "by any of the government of New York, be arrested, detained, and condemned for the only cause of trading in this province, and not entering and clearing at New York," the amount to be paid to the owner. Grants and Concessions, p. 131. It is probable this action succeeded the seizure above mentioned. The

effect of the law is not known; it was repealed the following November.

¹⁰³ Chalmers, p. 618.

¹⁰⁴ Andros, who went to England in November, 1677, brought out these instructions himself. Grahame's U. S. II. p. 240. "November 16th. The governor parted from New York and went to take his leave of Governor Carteret in the Jerseys, and lay there all night; the 17th, went aboard near Staten Island, weyed and went down ye Bay neare Sandy Point, where he sayled." N. Y. Col. Papers. Less of courtesy in this visit, probably, than policy. It was desirable that he should carry with him all the information respecting the coveted province that he possibly could obtain.

vince was within the limits of his jurisdiction according to his commission,—which had been allowed to remain unacted on through a conviction, it may well be presumed, that he had no rightful authority thereto,—was suddenly recalled to mind, and on the 8th March, 1679–80, he addressed a letter to Carteret, in which he informs him that, being advised of his actions without any legal authority, to the great disturbance of his majesty's subjects, he requires him to cease exercising any authority whatever within the limits of the Duke of York's patent, unless his lawful power so to do were first recorded at New York.¹⁰⁵

To this strange and unlooked-for epistle Governor Carteret replied on the 20th, after consultation with his council, boldly asserting his authority over the province, and expressing his determination, and that of the council, should force be used, to defend their families and themselves to the best of their ability; and if blood were shed it would be required at the hands of the aggressor; and this they would do until the king had heard and decided the matter.¹⁰⁶

On the 13th March, before this letter was received,

¹⁰⁵ Grants and Concessions, p. 673. He also stated that "it being necessary for the king's service, &c., that beacons or sea marks for shipping sailing in and out, and a fortification be erected at Sandy Hook," he had resolved it accordingly, but "having a due regard to all rights or proprieties of land or soil," he would make just remuneration to the owner. To this Carteret replies, that whatever may be requisite for his majesty's service within the jurisdiction of New Jersey they would themselves consider, and that he should oppose the

erection of any fort at the point designated until he could communicate with the proprietors. The light house was not built until many years after.

¹⁰⁶ Grants and Concessions, p. 674. In the simple manner of the times Carteret writes: "The occasion that hinders this from being sent to you sooner is the foulness of the weather, hindering the council's meeting, as also an alarm we had yesterday of your being come with your sloop and a considerable number of soldiers, which constrained us to put ourselves in a posture of defence."

or even written, Andros issued a proclamation, abrogating the government of Carteret, and requiring all persons to submit forthwith to the king's authority, as embodied in himself. His emissaries were sent into the province, and every covert and sinister means adopted to estrange the people from their allegiance to the proprietary government. Against all this the governor presented a bold and determined front. "It was by his majesty's commands," wrote he to Andros, "that this government was established, and without the same command, shall never be resigned but with our lives and fortunes, the people resolving to live and die with the name of true subjects, and not traitors."¹⁰⁷

A crisis in the affairs of the province was certainly approaching. On the 7th April, Carteret was informed that Andros was about to present himself at Elizabethtown for the purpose of demanding the government, and presuming that he would be accompanied by an armed force, a body of one hundred and fifty men was collected and armed to resist any violence that might be attempted. On the arrival of the vessel, however, it was ascertained that the retinue of the New York Governor consisted only of his councillors, with some of his officers and principal merchants; they were, consequently, received with civility, and conducted to the house of Governor Carteret, where a mutual exposition was made of their respective claims to the government of East Jersey.

Andros read the king's letters-patent directing him to receive the whole country from the Dutch, the grant to the Duke of York, and his commission from the lat-

¹⁰⁷ Grants and Concessions, pp. 675, 676.

ter, as governor; basing his rights upon these alone. Carteret then presented for inspection the several documents received from the king and the duke, making it manifest that Sir George held the province under a title equally as strong and similar in character to that by which Andros claimed it. With these that functionary was already acquainted, and their production anew, as might have been anticipated, was of no avail in convincing him that his pretensions were unfounded. The conference ended as it had begun; Andros closed the consultation by stating that he had now performed his duty by showing his authority and demanding the government in behalf of his master, and by warning the Jerseymen that, if they would not comply with his behest, the peril would rest upon them alone. "Then we went to dinner," says Carteret, in his account of the interview, "and that done, we accompanied him to his sloop, and so parted."¹⁰⁸

This hospitality of the governor was thrown away upon one possessing no responsive feelings of justice or clemency. On the night of 30th April, a party of soldiers, sent by Andros, violently dragged him from his bed, carried him to New York bruised and maltreated, and he was there kept, their close prisoner, until the 27th May, when a special court was convened for his trial, on the accusation of having "persisted and riotously and routously endeavored to maintain the exercise of jurisdiction and government over his majesty's subjects, within the bounds of his majesty's letters-patent to his royal highness."

Under these trying circumstances, the spirit and firmness of Carteret quailed not. When brought before

¹⁰⁸ Grants and Concessions, p. 678.

the court, over which Andros himself presided, he boldly acknowledged the refusal on his part to resign the government without the special command of the king, demanded his release from confinement on parole, to appear when his sovereign might require it, and protested against the jurisdiction of the court, where his accuser and prisoner was also to be judge. He subsequently withdrew his protest, and submitted the documentary evidence substantiating his authority. The jury brought in a verdict of "not guilty," which Andros would not receive. Twice or thrice did he charge them anew, and oblige them to retire for farther consideration; but, to their honor be it recorded, notwithstanding the presence of the despot, and the apprehensions they might reasonably have entertained of experiencing his vengeance, they were firm in abiding by their first decision. They required the governor, however, to give security not to assume any authority on his return to East Jersey, in order that the matter might be referred to the authorities in England.¹⁰⁹

Andros lost no time in availing himself of this virtual deposition of Carteret. On the 2d June he met the Assembly of New Jersey at Elizabethtown, presented again his credentials, and recommended such an enactment as might confirm all past judicial proceedings, and the adoption of the laws then in force in New York, which had emanated from a convention at Hempstead, Long Island. The representatives of the people of East Jersey, while they appear to have been sufficiently impressed with the power and authority of Andros to treat him with respect, were not unmindful of what was due to

¹⁰⁹ Grants and Concessions, pp. 678 to 681, 683.

themselves ; they exhibited towards him the bearing of freemen who were not tamely to assume any yoke he might presume to place upon their necks, and expressed their opinions plainly and decidedly on the matters submitted for their consideration. Andros, in his speech, had alluded to the protection secured to them by the " King's letters-patent under the great seal of England," and in their reply they said, " As we are the representatives of the freeholders of this province, we dare not grant his majesty's letters-patent, though under the great seal of England, to be our rule or joint safety ; for the great charter of England, alias *Magna Charta*, is the only rule, privilege and joint safety of every free-born Englishman. What we have formerly done, we did in obedience to the authority that was then established in this province. These things which have been done according to law require no confirmation." They presented for his approval the laws already in force and adapted to their circumstances, and expressed also their expectation that the privileges conferred by the "Concessions" would be confirmed.¹¹⁰ It does not appear that these views of the assembly were dissented from by the governor, or that his visit to the province was productive of either good or ill.

Through the tardiness of those interested in England, Governor Carteret was kept in suspense for several months as to the decision of his superiors upon the matters referred to them ; but on the 2d March, 1681, he issued a proclamation, announcing the receipt of, to him, most gratifying intelligence from Lady Elizabeth, executrix of Sir George Carteret's estate, dated the Sep-

¹¹⁰ Grants and Concessions, pp. 681 to 683.

tember previous, to the effect that the Duke of York wholly disowned the acts of Governor Andros, and denied having given any order or authority which could, in the least, have derogated from that vested in the proprietary.¹¹¹ Carteret, therefore, resumed the government, and subsequently a letter was received by Andros, bearing date the 6th November, 1680, from the Duke's secretary, notifying him that his royal highness had relinquished all right or claim to the province, save the reserved rent.¹¹²

On the receipt of this information, or about this time, Andros went to England, leaving as his representative Anthony Brockholst, president of the council. Some authors assert that he had incurred the displeasure of the duke by his conduct towards the governor of East Jersey, and that he was recalled in consequence thereof.¹¹³ That his visit to England was in obedience to a command from the duke, there can be no doubt, but it was to answer charges preferred against him by the people of New York of such a nature as to lead the duke to think an investigation necessary for his own interest. Andros submitted to the inquiry, and having satisfactorily shown that his conduct in office had been such only as the character of his master's measures required, he was acquitted.¹¹⁴ He did not return to the province, but the fact of his being appointed in 1686 governor of New England, by the duke, then on the throne as

¹¹¹ Grants and Concessions, p. 685.

¹¹² Grants and Concessions, p. 686, and see Note M.

¹¹³ Smith's N. Y., p. 46. Douglas, II. p. 269.

¹¹⁴ Dunlap (N. Y., I. 133) says Andros returned to England in full favor with

the duke; but it is apparent, from the Records, that the duke was not entirely assured of the fidelity of his governor. John Lewen was sent out in 1680, as commissioner to examine into the state of the province, the amount of revenue, &c.

successor to his brother Charles, does not indicate any decrease of confidence ; indeed James possessed in Andros a desirable instrument to carry out any system of tyranny or aggrandizement he might frame.

There is assuredly considerable mystery about the conduct of Andros towards New Jersey, while administering the government of New York, which every known document or authority fails satisfactorily to explain. The existence of the party in East Jersey inimical to the proprietary government may have led him to cherish the idea of regaining it for the Duke of York, and, in connection with the probability of his having received secret instructions, can alone account for his pertinacity in exercising authority in the province, in direct opposition to the expressed will of the duke, as contained in the grants to Sir George Carteret, and other documents. Even after the departure of Andros for England, and the receipt of the notification from the Duke's secretary, which has been mentioned, Brockholst still refused to recognize the authority of Carteret.¹¹⁵

After the return of Governor Carteret in 1674, the assemblies met with considerable regularity each year ; the first, at Elizabethtown, November. 5th, 1675,¹¹⁶ and the subsequent meetings either there or at Woodbridge,

¹¹⁵ Grants and Concessions, p. 687. The New York Papers contain no warrant for the course of either Andros or his deputy.

¹¹⁶ The members of this assembly were, for *Elizabethtown*, Henry Lyon, Benjamin Price ; for *Bergen*, Hans Dedrick, Elias Michelson ; for *Newark*, Thomas Johnston, *Lieut.* John Ward ; for *Woodbridge*, Samuel Davis, Thomas Bloomfield, Jr. ; for "*New Piscataqua*," John Gillman, Hopewell Hull ; for *Mid-*

dletown, *Captain* John Bound, John Throgmorton ; for *Shrewsbury*, John Slocum. William Shatluck, the other member for Shrewsbury, refusing to swear or subscribe the oaths, was dismissed.

The council at this time consisted of *Captains* John Berry, William Sandford and John Pike ; and *Messrs.* Lawrence Anderson, John Bishop, Sen'r., James Bollen, *Secretary*, and Robert Vanquellin.

save one at Middletown, in 1679. Unanimity seems to have prevailed sufficiently for some years among the different branches of the government,¹¹⁷ for legislation to be had upon all subjects which the advancement of the province in population rendered requisite. Among other legal provisions of this period, exclusive of enactments respecting the punishment of crimes, the establishment of courts, and the preservation of the peace, were the following: All males from sixteen to sixty were required to furnish themselves with arms and ammunition, which, with plough irons or chains, and horses and cattle necessary for their livelihood, were declared free from distraint; each town was to have a fortified place of safety for securing the women, children, provisions and ammunition, in case of imminent danger from Indian assaults;¹¹⁸ freeholders were not to be arrested for debt unless it was made to appear that their creditors were likely to suffer from fraudulent measures; and the county rates were to be levied according to the quantity of land held by the individuals subject to them:—Labor, unlawful recreations, unnecessary travelling, and improper conduct of any kind, were prohibited on the Lord's day, and ministers were to be protected in the performance of public worship from all disturb-

¹¹⁷ The town of Shrewsbury seems to have given some trouble to the assembly in sending deputies who refused on their arrival to take the necessary oaths; this was provided for in 1676 by an act making any town liable to a fine of ten pounds which should send such deputies. The consequence of this was, that the next year the member elected did not attend, when an act was passed fining *him* ten shillings for every day's ab-

sence. It is probable the difficulties of travelling may have caused some irregularity. A law was passed in 1676, authorizing the deputies to impress vessels, horses or men, to facilitate their passage to and from the meetings of the assembly.

¹¹⁸ It is doubtful if these were generally (if at all) provided. We have no evidence that they were ever used or needed.

ances :—Births, deaths and marriages were to be recorded :—Where no court existed, the people of the town were authorized to choose persons to form a grand jury, who should be required under oath to take notice of all transgressions of the laws, and report them to the next court in the county ; a bounty of fifteen shillings was to be paid for wolves ; ammunition, arms and liquor were not to be sold to the Indians, nor their guns repaired ; the retailing of liquors in less quantity than a gallon was prohibited, except by the regularly licensed keepers of ordinaries in the different towns ; no hides were to be taken out of the province for sale ; leather, beef and pork were to be inspected and sealed ; and from time to time the value of country produce was rated, to facilitate exchanges and the operations of barter :—The public charges were, at first, fifty pounds *per annum*, but subsequently they were doubled, and in 1680 they amounted to one hundred and ninety-six pounds ten shillings ; the pay of counsellors and assembly men was three shillings per day, and the governor received four shillings per day extra during the sittings of the assembly :—Propagators of false news were to be fined ten shillings, which was also the punishment for the first offence of slander, the second offence being twenty shillings.¹¹⁹

The unanimity which has been referred to as prevailing in the councils of the province, may have been partly owing to the existence of a common danger ; the government of Andros not being desirable even by those unfavorably disposed towards Carteret, and leading them to co-operate with the friends of the proprietaries to a greater extent than would otherwise have been the case.

¹¹⁹ Grants and Concessions.

So soon, however, as Carteret's authority was firmly established, mutual bickerings commenced. In October, 1681, on the Assembly's convening at Elizabethtown, a violent discussion arose between the governor and his council, on one side, and the assembly on the other, as to the right of the proprietary to make alterations in the "Concessions" promulgated in 1665; the latter body being disposed to set aside those subsequent provisions which militated against the powers conferred upon them at first. Both parties were equally pertinacious, and to put an end to the fruitless altercation, the governor, for the first time in the history of New Jersey, dissolved the Assembly; a measure against which the deputies protested as one fatal to their rights and privileges, and which they pronounced inconsistent with the governor's commission and instructions.¹²⁰ This was the last assembly during Governor Carteret's administration, for the ensuing year he resigned the government into other hands.

It is necessary now to recur to the course of events in England.

The exertions of the friends of the West Jersey settlers to obtain release from the imposition of duties on their imports were so well directed, and the illegality of the proceeding exhibited in such a spirited and able manner before the commissioners (to whom the Duke of

¹²⁰ Chalmers, p. 620. Captain Henry Greenland (of Piscataway) and Captain Robert Vicars appear to have been instrumental in bringing about the dissolution of the Assembly. In 1683 an act was passed declaring them incapable of holding office in the province in consequence of their conduct in 1681, and "since, by keeping courts by special

commission from the late governor." The proceedings of these courts were also annulled. The act, however, so far as it related to the disfranchisement of Greenland was not confirmed by the proprietaries. The exact nature of the offence committed is not known. See Note N.

York, wrought upon by their importunities, at last consented to refer the matter,) that Sir William Jones, whose opinion was solicited by the commissioners with an understanding that they would abide by it, decided explicitly in favor of the complainants. "I am not satisfied," said he, "that the duke can demand that or any other duty from the inhabitants of those lands," there being "no reservation of any profit, or so much as jurisdiction" in the grants to Berkeley and Carteret.¹²¹ No farther plea for delay could be advanced by the duke, and he, therefore, in August 1680, confirmed West Jersey to the proprietors thereof, free and untrammelled; and on the 10th October following, relinquished all his pretensions to East Jersey in favor of the grandson and heir of Sir George Carteret,¹²² the result of which, was the notification to Andros, already mentioned. Grahame, in his History of the North American Colonies,—alluding to a document prepared and submitted to the commissioners by George Hutchison and other Quakers, under the supervision of William Penn, containing their arguments in opposition to the duke's claims,—observes: "I question if it be possible to point out in any of the writings or harangues of which that period was so abundantly prolific, a more impressive or magnanimous effort for the preservation of liberty, than is evinced in this first successful vindication of the rights of New Jersey. One of the most remarkable features of the plea which the provincials had maintained, was the strong and deliberate assertion that no tax could be justly imposed on them, without their own consent and the authority of their own general assembly. The report of the com-

¹²¹ Chalmers, p. 626. Grahame II., pp. 284, 285. See Note M.

¹²² Bill in Chancery, p. 8.

missioners in their favor, and the relief that followed, were virtual concessions in favor of this principle, which in after ages was destined to obtain a more signal triumph in the independence of North America.¹²³

Sir George Carteret died, as has been stated, in 1679, and by his will, dated December 5th, 1678, left his widow Lady Elizabeth, executrix of his estate and guardian of his grandson and heir;¹²⁴ and devised to Edward, Earl of Sandwich; John, Earl of Bath; Hon. Bernard Granville, brother to the Earl of Bath; Sir Thomas Crew, Kn't.; Sir Robert Atkins, Knight of the Bath; and Edward Atkins, Esq., one of the Barons of the Exchequer; and their heirs, among other lands, all his property in East Jersey, in trust for the benefit of his creditors.¹²⁵ These trustees, with the exception of the Earl of Sandwich, whose signature was not affixed to the documents, on 5th and 6th March, 1679-80, by lease and release conveyed the province with other property to Thomas Cremer and Thomas Pocock; but, as no copies of these documents are known to exist, whether this transfer was for a special purpose, or failed of entire execution for the want of the signature of the Earl of Sandwich, has not been ascertained. It is certain, however, that on the 20th February following (1680-1,) the Earl of Sandwich released all his interest in the trust to his associates, and they again commenced negotiations for the sale of the province in accordance with the will of

¹²³ Grahame II. p. 237. Edit. 1837. For the document see Smith's N. J., p. 117.

¹²⁴ Sir George's heir was son of Sir Philip, a deceased son, and was also named George. He was married when only eight years of age, to the youngest

daughter of the Earl of Bath; a match agreed upon between the Earl and Sir George, more effectually to connect the friendship existing between the families.

¹²⁵ Bill in Chancery, p. 8. Grants and Concessions, p. 73.

Sir George; but failing to find a purchaser by private application,¹²⁶ it was offered at public sale to the highest bidder: William Penn, with eleven associates of the Quaker persuasion, some of them already interested in West Jersey, becoming the purchasers for £3400.¹²⁷ Their deeds of lease and release were dated 1st and 2d February 1681-2, and subsequently each of them sold one half of his respective right to a new associate, making in all twenty-four proprietaries.¹²⁸

THE SEAL OF THE PROVINCE OF NEW JERSEY.

The representation of this seal, given on the following page, is from an original impression in wax, in an imperfect state, attached to a commission bearing the joint names of Berkeley and Carteret, preserved in the Rutherford Collection of original papers. It is believed to be the only impression in existence.

From the imperfect condition of the seal, a portion of the inscription

¹²⁶ In a list of ancient MSS. advertised for sale in London in 1835, was one with the following title. "A letter from the Earl of Bath to Lord Norreys, dated April 16, 1681, being a proposal for the sale of the Province of New Jersey (it should have been East Jersey), a country almost as large as England, belonging to the late George Carteret, for the small sum of between five and six thousand pounds."

¹²⁷ Grahame II., p. 289. N. J. Laws, 1834-5, p. 175. Originals of the Lease and Release to the twelve are in the

Secretary of State's Office at Trenton, presented in 1834 by descendants of Clement Plumstead, one of the grantees. Other originals are in the Rutherford Collection, making it probable that each grantee received a set. Cremer and Pocock joined with the trustees in the execution of the papers.

¹²⁸ E. J. Records. Grants and Concessions, p. 73. Bill in Chancery, p. 8. Some of the original deeds from the first to the second twelve are in the Rutherford Collection.

was not visible ; but what was wanting has been supplied, and the whole is as perfect a representation as could be made.



The centre contains the arms, in duplicate, of Sir George Carteret and Baron Berkeley, with their respective initials.

GOVERNOR CARTERET.

Of Philip Carteret's early life history is silent. He is introduced first to our notice on receiving the appointment of Governor of New Jersey from his brother ; but we are not permitted to know how much he had previously shared in the events, public and private, of that gay courtier's career. The peculiarities of character and disposition deducible from his official acts are few, but generally they seem to have well fitted him for the situation to which he was appointed, and to have enabled him to meet, with credit to himself, the various trials of his administration.

Equanimity of temper and firmness of purpose were assuredly his, for he never appears to have been led, amid all the factious broils which prevailed in his government, to the adoption of any measures marked by violence or injustice ; while at the same time he unwaveringly pursued that course which his judgment assured him was best calculated to advance the prosperity of the province, and the interest of the proprietaries. His simplicity of manners was shown in the unostentatious way in which he entered upon the theatre of his official authority, going up from his vessel to the settlement with a hoe on his shoulder, "thereby

intimating his intention," said his opponents subsequently, "of becoming a planter with them;" and his intercourse with the natives appears ever to have exhibited strict truth and equity.

The Governor's permanent residence was at Elizabethtown, where the proprietaries had a house erected for him (afterward described as having "orchards and grounds" attached) but he does not appear to have had any family, other than a wife, who was living at the time of his death and inherited all his property, real and personal, within the province. She was the daughter of Richard Smith, of Smithtown, Long Island, and had previously been married to William Lawrence, of Tew's Neck, by whom she had children whom she brought with her to New Jersey. She became the wife of Governor Carteret, in April, 1681, and on his death returned to Long Island. She was a woman of more than ordinary endowments and strength of intellect.¹²⁹

The Governor received from his brother a grant of two thousand acres of land, and made several purchases of other tracts; but he did not live to realize any anticipations of profit he may have formed from the growth of East Jersey, for he died in December, 1682, less than two months after resigning his authority into the hands of his successor. In his will he directed his body to be deposited, if permission could be obtained, in the "Vault of Governor Stephenson's (Stuyvesant's) Bowry, otherways Liberty to be purchased in the Church at New York." In which of these places the remains of the first Governor of New Jersey were deposited cannot now be determined.¹³⁰

From the light thrown upon it by the brief records of the past, the administration of Philip Carteret merits the favorable consideration of the historian, although in some of its features not to be deemed faultless.

A representation of his official seal will be found appended to Note I.

AMONG the other authorities quoted in the course of the foregoing portion of the narrative, frequent reference has been made to the Eliza-

¹²⁹ Thompson's *Long Island*, II., pp. 364-5. Mr. Thompson is wrong in his assertion that she was left in charge of the province when the governor went to Europe, for they were not then married, and the Lady Elizabeth Carteret, whose name he finds in some of the Documents of the time was the widow and executrix of Sir George.

¹³⁰ Murray's *Historical Notes on Elizabethtown*, recently published, gives that town as the place of the governor's

burial, upon the authority of tradition. His will was dated December 10th, 1682. His property in the island of Jersey he left to his mother, Rachel Carteret, during her life, and at its close it was to descend equally to the children of his brothers and sisters; and he directed that "two quarters of wheat" should yearly, for ever, be distributed to the poor in the parish of St. Peter's in that island, to be paid for out of his estate. E. J. Records, *Liber A.* pp. 17-18.

bethtown Bill in Chancery, and the answer thereto; growing out of the litigation which ensued from the conflicting grants of Nicholls and Careret. The first was printed by James Parker, in 1747, and has the following title:

“A Bill in the Chancery of *New Jersey*, at the suit of *John*, Earl of *Stair*, and others, Proprietors of the Eastern Division of *New Jersey*; against Benjamin Bond and some other Persons of Elizabethtown, distinguished by the Name of the *Clinker Lot Right Men*. With Three large *Maps* done from *Copper Plates*.—*To which is added*; The Publications of The Council of Proprietors of *East New Jersey*, and Mr. Nevill's speeches to the General Assembly, Concerning The Riots committed in *New Jersey*, and The pretences of the Rioters, and their Seducers.

These papers will give a better Light into the History and Constitution of New Jersey, than any Thing hitherto published, the Matters whereof have been chiefly collected from Records.”

“Published by Subscription.”

The Bill is signed by James Alexander and Joseph Murray, of Council for the Complainants; and, as printed, makes, with the accompanying documents, a folio volume of more than one hundred and sixty pages.

The answer was printed also by James Parker, but five years later, (1752,) and is entitled—“An answer to a Bill in the Chancery of *New Jersey*, at the suit of *John* Earl of *Stair*, and others, commonly called Proprietors of the Eastern Division of *New Jersey*, against *Benjamin Bond*, and others claiming under the original Proprietors and Associates of *Elizabeth-town*. *To which is added*; Nothing either of The Publications of The Council of Proprietors of *East New Jersey*, or of The Pretences of the Rioters, and their Seducers; except so far as the Persons meant by Rioters, Pretend Title against The Parties to the above answer; but a great Deal of the Controversy, Though Much Less of the History and Constitution of *New Jersey*, than the said Bill.—*Audi Alteram Partem*. Published by Subscription.”

This answer is signed by William Livingston, and William Smith, Junr., of Counsel for the Defendants, and makes a printed folio of forty-eight pages. There are very few copies in existence; the writer has never seen but one, which is in his own possession.

The Controversy to which these publications refer was never legally concluded. Before a decision could be obtained, the exciting events of the revolution commenced to agitate the country; the entire cessation of legal business, which ensued, put a stop to the progress of the suit, and it has never been renewed. It would exceed the scope of this work, and occupy much space, very little to the satisfaction of the reader, to enter here upon an examination of the merits of this case. The bill of the

Complainants is certainly drawn up with great ability, and presents their claims in a light which cannot fail to afford entire satisfaction of their justness and propriety.

The volume of "Grants and Concessions," which is also frequently quoted, was compiled by Aaron Leaming and Jacob Spicer, under an Act of the Provincial Assembly, and published in 1758. It contains all the principal documents referring to the settlement and transfers of both East and West Jersey, with the acts of their respective Assemblies prior to the surrender of the government to Queen Anne. The volume is quoted mainly for the convenience of the reader, for so far as the purposes of the author required a reference to the documents it contains, the Records of the Eastern Proprietary office might with propriety have been substituted as his authority,—most of the matter in the volume referring to East Jersey, having been there consulted and examined.

PERIOD III.

FROM THE TRANSFER OF EAST JERSEY TO THE TWENTY-FOUR PROPRIETARIES TO THE SUBVERSION OF THE AUTHORITY OF ANDROS.

1682—1689.

ON the 14th March, 1682-3, the Duke of York confirmed the sale of the province to the twenty-four proprietaries, by giving a new grant more full and explicit than any previous one in which their names are inserted in the following order: James Earl of Perth, John Drummond, Robert Barclay, David Barclay, Robert Gordon, Arent Sonmans, *William Penn, Robert West, Thomas Rudyard, Samuel Broome, Thomas Hart, Richard Mew, Ambrose Riggs, John Haywood, Hugh Hartshorne, Clement Plumstead, Thomas Cooper*, Gawen Lawrie, Edward Byllinge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne;¹ those in italics being the names of eleven of the first twelve,

¹ E. J. Records, A. p. 53. Grants and Concessions, p. 141. Bill in Chancery, p. 9. Gordon gives as "the additional twelve," the names of *thirteen*, among them Sir George Mackenzie, (not the "bloody Mackenzie" of Scottish history, as stated by Grahame.)

Robert Burnet, Peter Sonmans, Thomas Cox and William Dockwra, who were all subsequent purchasers. Robert Turner, he calls *Gawen* Turner, and Thomas Warne, Thomas *Nairne*, possibly clerical or typographical errors. See Notes O. and P.

Thomas Wilcox, the twelfth, having parted with his entire interest. There was a strange mingling of professions, religions, and characters in these proprietaries, among them being, as an English writer observes, "high prerogative men, (especially those from Scotland,) dissenters, papists and Quakers."²

The first twelve proprietaries were most of them, if not all, Quakers, and the majority of the settlers being of other religious sects, the connection with the other twelve, drawn as they were principally from Scotland, and many of them so uncongenial in character and political principles to Penn and his associates, may have been with a view either to allay the jealousy with which a government entirely composed of Quakers might have been regarded by the inhabitants, or to fortify their interest at court by engaging in the undertaking persons of influence.³ Whether this last was an object with them or not, they were enabled to obtain a letter from the king, addressed to the governor, council and inhabitants of the province, commanding obedience to their laws and government as absolute proprietors thereof.⁴

Among the names of the twenty-four proprietaries will be found that of Robert Barclay of Urie, a Scottish gentleman, a Quaker by profession, and a personal friend of William Penn. Him they selected to be governor of the province, being "admired," says Grahame, "by scholars and philosophers for the stretch of his learning and the strength⁵ and subtilty of his understanding, and en-

² Wynne's *British Empire*, I. p. 206.

³ Grahame's *U. S.*, and see *Scot's Model*, pp. 217, 218.

⁴ *Grants and Concessions*, p. 151.

⁵ He is generally considered to have

been a man of strong mind, but there was some degree of weakness exhibited by him in connection with his religious belief. For example, in 1672 he walked the streets of Aberdeen in sackcloth

deared to the members of his religious fraternity by the liveliness of his zeal, the excellence of his character, and the services which his pen had rendered to their cause."

Barclay's education had been received at Paris, under the superintendence of an uncle,—the principal of the Scot's College in that city,—through whose influence he was induced to become a Roman Catholic. In consequence of this he was recalled by his father, and both of them soon after became Quakers. The son gave to the world several works in defence of the principles they had espoused, but that for which he became most celebrated was one, written in the Latin language, entitled "An apology for the true Christian divinity, as the same is preached and held forth by the people, in scorn, called Quakers." This procured him the appellation of 'the apologist.' His writings, in general, are said to have been more calculated to dazzle and confound the understanding, than to produce conviction or sink into the heart.

Barclay was selected, from the belief that he united every desirable qualification for the office conferred, being equally capable of excelling in worldly matters as in those of a spiritual nature, and possessing great influence, not only among the Quakers, but also with the king and the Duke of York, to both of whom he seems so to have recommended himself by his genius and address as to have maintained with them, and with several of their most distinguished adherents, a friendly and confidential intercourse.⁶ The confidence placed in him by his fellow proprietaries, and the high anticipations formed

and ashes, in accordance with a presumed divine command. See Spencer's English Traveller, p. 651.

⁶ Grahame II., pp. 291, 292, (Edit. 1837,) Encyclopædia Americana, and see Note Q.

of the effects of his government on the interests of their province, were such as to lead them to commission him subsequently as governor for life;⁷ and, as if his name alone were “a tower of strength,” he was not required to visit East Jersey in person, being permitted to exercise his authority by deputy. The gentleman he selected for that office was Thomas Rudyard, an eminent lawyer of London and one of the proprietaries.

At the time of the transfer of East Jersey to the twenty-four, the population of the different towns is estimated to have been three thousand five hundred, and the families scattered on plantations throughout the province to have numbered half as many more, making the entire population over five thousand souls.⁸ Previous to the establishment of an Assembly in New York, which was not until the arrival of Governor Dongan in 1683, the political institutions of East Jersey were so much more liberal in their character, that emigration from the former province became desirable to all appreciating the blessings of civil and religious liberty; and had it not been for the unfortunate dissensions respecting the right of soil, the inhabitants of the province would have been far more numerous. What population there was, however, was unceremoniously transferred with the soil, and placed under the government of rulers with whose elevation to power the people had had nothing to do.

There were eight or ten towns or villages existing which were then situated as follows :

SHREWSBURY, had a population of about four hun-

⁷ Grants and Concessions, p. 168. This was dated July 17th, 1683, but he had been commissioned, or at least acted as governor some months pre-

viously, for on September 16th, 1682, he commissioned Rudyard as his deputy. E. J. Records, C. p. 2.

⁸ Smith's N. J., p. 161.

dred. Ten thousand acres are said to have been taken up by the town, with plantations contiguous that comprised twenty thousand more. Within the limits of this township, Colonel Lewis Morris of Barbadoes, an ancestor of the family of that name subsequently of note in both New Jersey and New York, had extensive iron works, employing sixty or seventy negroes in addition to white servants and dependents.⁹ This was the most southern settlement in the province.

MIDDLETOWN was about equal in extent to Shrewsbury, and contained about five hundred inhabitants. The plantations in the vicinity of this town were considerably improved.

PISCATAWAY had about four hundred inhabitants, and forty thousand acres, or thereabout, were taken up for the town and out plantations. There were plantations both above and below the town on the Raritan, and some land on Millstone river was also located.¹⁰

WOODBIDGE had its ten thousand acres for the town, and twenty thousand for the adjoining plantations, seven-

⁹ The land (3540 acres,) was granted to him, October 25, 1676. Full liberty was given to him and his associates "to dig, delve, and carry away all such mines for Iron as they shall find or see fit to dig and carry away to the iron work, or that shall be found in that tract of land that lies inclosed between the southeast branch of the Raritan river and the Whale pond on the sea side, and is bounded from thence by the sea and branch of the sea to the eastward to the Raritan river, he or they paying all such just damages to the owners of the land where they shall dig mine, as shall be judged is done by trespass of cattle or otherwise sustained

by the carting and carrying of the said mine to the work." E. J. Records, B., p. 155.

¹⁰ Governor Carteret, John Palmer of Staten Island, Gabriel Mienville, Thomas Codrington, John White, John Delavalle, Richard Hall, John Royse of New York, James Graham, Cornelius Corsen, Samuel Winder, Robert Vanquellin, John Robinson, William Pinhorne, Richard Jones and Matthew Taylor, had plantations, or were interested in the lands on the river Raritan. Their deeds were obtained in 1681. See Bill in Chancery, p. 53, for the bounds of their respective grants.

ral of these being improved ; and that section of the province appears to have been highly estimated by settlers. A court house and prison were there, although we may presume them to have been of humble character, and the possession of a charter gave to the town a peculiar consideration in the province. Its population was about six hundred.

ELIZABETHTOWN was a place of considerable importance, comprising within its limits about seven hundred inhabitants, the home lots and out plantations containing forty thousand acres ; it was the seat of government and the place where the principal officers resided, “ a house, orchards and farm within the town ” having been since 1664 occupied by Governor Carteret.

NEWARK was the most compact town in the province ; about ten thousand acres were taken up for its accommodation, and its out plantations covered forty thousand more ; in addition to these, the plantations of Sandford, Kingsland, Berry, Pinhorne, and others upon the Passaic and Hackinsack rivers, were also included within its jurisdiction. The plantation of Pinhorne and Eickbe near “ Snake Hill,” (so called as early as 1664,) is particularly noticed as being valued at one thousand pounds ; and Berry and his neighbors are represented as having forty or more negroes engaged in clearing and improving their plantations. The town of Newark contained about five hundred people.

BERGEN contained about three hundred and fifty inhabitants, and included with its adjoining plantations sixty thousand acres of land ; it took within its jurisdiction several improved plantations on the Hackinsack river, New York bay, and the Kill Van Kull, one in particular on Bergen Point of twelve or fifteen hundred

acres, first settled by Samuel Edsall during the administration of Colonel Nicholls, was worth six or seven hundred pounds. Bergen also included several growing villages on the site of the present Pembroke, Communipau and Paulus Hook, comprising in all three hundred and fifty or four hundred inhabitants. There was a settlement also at Hoboken, then called Hobuck, and a mill was erected there belonging to a resident of New York. There were other plantations located farther up on Hudson river.¹¹

The inhabitants of Bergen, Middletown, Shrewsbury, Woodbridge and Piscataway, as has been already stated, enjoyed the advantages of charters, which enabled them more directly to regulate their local affairs, and Newark was under the government of its select men, chosen after the manner of New England towns; but in 1675 the whole province was placed under the jurisdiction of county courts. Bergen and the adjacent plantations received one, Elizabethtown and Newark another, Woodbridge and Piscataway the third, Middletown and Shrewsbury the fourth. These courts held two sessions yearly, and a court of assize was established holding only one. Subsequently, during the same year, monthly courts for the trial of small causes were created in all the towns, composed of three judges chosen annually for the purpose.

Much of the province was yet an unexplored wilderness, or one which had been traversed only by the hunter of the wild game that abounded, or the no less hardy

¹¹ This account of the province is principally from a report by "Captain Nicholls, secretary of the Duke of York for the province of New York," in

Scot's Model, (appended to this volume,) pp. 128 to 144. Smith extracts from it in his History, but does not say where he obtained it.

seeker after desirable tracts of land. A single road, or more probably a bridle path, afforded the only means of communication with West Jersey, crossing the Raritan at Inian's Ferry, now New Brunswick, and the different rivers and streams were the principal avenues whereby intercourse was kept up in other directions. In 1677 William Edmundson, travelling southward from New York, says that,—in going from Middletown to the Delaware river, although with an Indian guide,—he was unable for a whole day to discover the proper course, and he was obliged to go back until his guide could strike the Raritan. They then followed its margin until they came to a "small landing from New York"—probably the ferry above mentioned—and thence wended their way along a small path to Delaware falls. He says, "we saw no tame animals in all the way."¹² What an agreeable contrast to this picture does the interior of the state now present! The mind can scarcely seize the fact that, one hundred and seventy years ago, where now are beheld cultivated fields and the comfortable abodes of man, every thing should have worn so wild an aspect.

Such was the condition of East Jersey on the arrival of Deputy Governor Rudyard, accompanied by Samuel Groome, as Receiver and Surveyor General, in 1682.¹³ The impression made upon both by the condition and advantages of the country was highly favorable. Rudyard, in a letter to his associates in London, dated the 30th May following, states at length his own views res-

¹² Watson's Annals of Philadelphia, p. 91, *note*.

¹³ Groome was also a proprietor. They were both appointed the same

day, September 16, 1682, and arrived in the province November 13th, 1682.

E. J. Records, C., pp. 2-5. Stirling's Bill in Chancery *vs.* John Hunt, p. 9.

pecting the province, giving it the preference on some accounts over West Jersey and Pennsylvania, both of which provinces he had visited, and informs them that William Penn, who had arrived at Pennsylvania in October previous, on taking a survey of the land, "said he had never seen such before in his life." "The people," says Rudyard, "are generally a sober professing people, wise in their generation, courteous in their behavior and respectful to us in office among them;" * * "there is not an industrious man, but by God's blessing, may not only have a comfortable but plentiful supply of all things necessary for this life." And he portrays the delights of the climate, and the goodness of the soil, evinced by its manifold and bountiful productions, in a manner that shows his satisfaction with his adopted country. Groome, also, wrote in exalted terms of the "braveries of the land," and of the readiness exhibited by the inhabitants of other provinces to remove to East Jersey so soon as lands could be allotted them.¹⁴

On the 13th December following his arrival, Rudyard appointed as his councillors, Colonel Lewis Morris, Colonel John Berry, Captain John Palmer, Captain William Sandford, Lawrence Andros or Anderson, and Benjamin Price, before whom, on the 20th December, he was sworn into office as deputy governor. He had previously (on the 1st) taken the oaths as chief register of the proprietors, to which office he had also been appointed.¹⁵

¹⁴ See their Letters in Scot's Model, pp. 146-160. Groome's letter, after performing its journey to Scotland, and being there widely circulated, exerting considerable influence in inducing emi-

gration, was brought back to the province, and is now in the Rutherford Collection of Original Papers, in a good state of preservation.

¹⁵ E. J. Records, C. p. 5.

He was furnished with a letter to the planters and inhabitants, expressing the hope of the proprietaries that harmony and friendly feelings would prevail between the governors and the governed, and stating the obligations which they conceived were imposed on them to use all lawful and just means to make the province prosperous; in which event they were all alike interested; for, as they expressed themselves, "the satisfaction and benefit we propose to ourselves, is by the good success of your affairs, which we are resolved to advance, knowing that your interest is now so bound up with ours, that we cannot suffer if you prosper, nor prosper where you are injured."¹⁶ The nature of their instructions to the deputy governor does not appear from the records, but we may safely presume them to have accorded with the mild, sincere, and reasonable language of their letter, and to have conduced therewith to the establishment of the peace and order that followed.¹⁷

The previous "concessions" were confirmed, and an Assembly called by Rudyard, which convened at Elizabethtown, in March 1682-3, and held two subsequent sessions during the year, passed several acts of importance tending to the well being of the province. Among others, were the following:—An act dividing the province into four counties and appointing a high sheriff for each; 'Bergen' included all the settlements between the Hudson and Hackinsack rivers, and extended to the northern bounds of the province; 'Essex' included all the country north of the dividing line between Woodbridge and Eliz-

¹⁶ Grants and Concessions, p. 167.

¹⁷ These instructions, although not on record, are referred to in subsequent directions to Lawrie. For those on whom the language of persuasion might

have little effect, Rudyard received a proclamation from Charles, dated November 3, 1683, *commanding* obedience to the proprietaries. E. J. Records, A. p. 1.

abesthown, and west of the Hackinsack ; ‘Middlesex,’ all from the Woodbridge line on the north to Cheesequake harbor on the southeast, and back southwest and northwest to the province bounds; and ‘Monmouth’ comprised the residue :—Acts, modifying to some extent the character, jurisdiction and proceedings of the county and other courts, and remodelling the criminal and penal codes :—Fugitive servants, and those who might abduct them, were made liable to penalties and punishment :—No freeman was to be imprisoned save by the judgment of his peers :—Resisters of authority, profane swearers, drunkards, incestuous and lewd persons, and Sabbath breakers, were made subjects of special acts :—Trading with negro slaves was forbidden, and intercourse with the Indians regulated ; the formation of treaties with them being prohibited save by the authority of the governor :—Commissioners were appointed in the different counties to lay out roads and settle landings, bridges and ferries :—Different acts regulated the recovery of debts from non-residents, and required strangers to give bonds to prosecute before they could procure the arrest of any individual :—Jails and pounds were to be erected in the several counties and towns :—Vexatious delays in proceedings at law were guarded against ; the militia laws remodelled ; and such was still the danger from wolves, that the bounty upon their heads was continued :—Each town was required to pay its own deputies, at the rate of four shillings per day, and absent representatives were fined five shillings per day :—Fifty pounds were levied on the different counties to defray the public charges.¹⁸

The administration of Rudyard appears to have been

¹⁸ Grants and Concessions. Bergen was assessed £11, Essex £14, Middlesex £10, Monmouth £15.

productive of beneficial results. By his judicious proceedings he seems to have overcome effectually any opposition entertained by the people to the authority established over them so unceremoniously, and to have secured a good degree of harmony among the varied interests and discordant principles prevailing in the province.

In the laying out and allotting lands, the deputy governor adopted a course which, as it was at variance with the views of Groome, the surveyor general, led to the suspension of that functionary from office. The proprietaries in England, however, although they acknowledged the great services he had rendered them in curbing the tumultuous spirits in the province,¹⁹ did not approve of Rudyard's conduct in this matter; they, therefore, re-instated their surveyor-general, annulled all grants that had not been regularly surveyed by him, and deemed it advisable to appoint another deputy-governor, permitting Rudyard to retain the office of secretary and register, the duties of which he performed until the close of 1685, when he left the province for Jamaica.²⁰

The person now selected to represent the virtuous Robert Barclay, was one of his own profession, Gawen Lawrie, a merchant of London and a proprietary, who, as one of the Byllinge's trustees, was already deeply interested in West Jersey. Although he may not have occupied as elevated a position in society as the eminent lawyer whom he superseded, yet Lawrie possessed qual-

¹⁹ Rudyard says, in a letter to the proprietaries, preserved in Scot's Model, "I believe it [the province,] hath been very unhappy heretofore under an ill managed government," but Carteret's administration had certainly been all

that "the tumultuous spirits" permitted.

²⁰ In August, 1684, he was allowed two hundred pounds for his services as governor. Grants and Concessions, p. 197.

ifications which were well calculated to fit him for the situation to which he was appointed; intelligence, activity, energy and business habits being made conspicuous in his management of affairs. His commission was dated at London in July, 1683,²¹ but he did not arrive in the province until the beginning of the following year, his commission being read in council, and the oath of office administered to him on 28th February.²²

The new deputy-governor brought out with him a code of general laws, or "Fundamental Constitutions" as they were called, consisting of twenty-four chapters, or arti-

²¹ Grants and Concessions, p. 168.

²² He says in his letter to the proprietors in England, preserved in "Scot's Model," that his commission was published before his council on *that* day, March 2d, but the records show that it was done on the 28th February. It is probable his letter was dated after it was written, to correspond with the time of its departure. The council of his predecessor received him courteously, and he appears to have continued the members in office, or, at least, made no new appointments, until November 26, 1684, when Colonel Lewis Morris and Richard Hartshorne, of *Monmouth*; Major Berry, of *Bergen*; Major Sandford and Isaac Kingsland, of *New Barbadoes*; Captain Thomas Codrington, of *Raeawaekhana, Middlesex*; Benj. Price and Henry Lyons, of *Elizabethtown*; and Samuel Dennis, of *Woodbridge*, were selected. Smith (p. 175,) gives to these gentlemen the credit of quieting, by their prudent conduct, considerable disturbance in the province, particularly about Middletown and Woodbridge, "relating to town affairs." Colonel Morris was himself imprisoned in a log house on

one occasion, but his partisans raised the logs sufficiently for him to escape. Although this circumstance is introduced by Smith as occurring about this time, the author is disposed to place it later. Among the MSS. of the New Jersey Historical Society is the following document: "Att the Court of Comon Right held at Perth Amboy ye 11th day of May, 1698, The Court orders That Lewis Morriss Esqr. for denying ye Authoritie of this Court, And other his contempts, shall be fined fifty pounds, and be committed to prison till paid. By order of ye court Edward Slater Clerke. To ye Sheriff of ye County of Middx: A True Coppy

Joseph Rolph Shr'f."

The reader will find that in 1698 serious difficulties existed in the province, but they did not refer particularly to "town affairs," so that there may have been two imprisonments. Mr. Morris was certainly not ashamed of the transaction, for the document was carefully preserved among his papers, endorsed "Minute of ye Ct. of common Right, fining and Committing L. M."

cles, adopted by the proprietaries in England for the government of the province, which differed in some particulars from the 'Concessions' of Berkeley and Carteret, and was deemed by its framers so superior to them that its privileges and benefits were to be extended only to those who would submit to a re-survey and approval of their several grants, arrange for the payment of all arrearages of quit rents, and agree to pass an act for the permanent support of government; all others were to be ruled in accordance with the Concessions.²³

A comparison of the two codes, presents no features in that now offered for the approbation of the inhabitants, warranting the high estimation of the proprietaries; on the contrary, there were many points upon which the people might naturally be expected to object to its introduction. Lawrie, himself, appears to have been convinced of the impropriety of putting it in operation, by taking no steps to effect it. That this was acting wisely there can be no doubt. The adoption of the new code would necessarily have brought the greatest confusion into the administration of the government, for as an uniform compliance with the terms proposed could not have been expected, the tendency of the proprietary instructions was actually to establish two distinct classes, subject to different laws, bound to the performance of different duties, and enjoying different privileges. This was a

²³ Grants and Concessions, pp. 153-181: and see Note R. "We recommend him to take care to let the people rightly understand the advantages yielded to them by this scheme of government now sent over, and how much it exceeds their former concessions, which, if rightly understood by them, we hope will be a

great means to satisfy them: and also we desire that he may as soon as possible lie can, *order it* to be passed in an Assembly, and settle the country accordingly thereto." Proprietaries' 13th Instruction to Lawrie. They little understood the temper of *their subjects*.

sufficient reason for the non-adoption of the "fundamental constitutions," but it is probable, likewise, that the terms were thought too harsh, their acceptance by the people involving the destruction of a system of government already established and tried, and which, in all its general characteristics, was in accordance with their views. Through the discretion of Lawrie, therefore, the civil polity of the province remained unchanged.²⁴

The province made as favorable an impression upon Lawrie, as it had upon his predecessor, and he is warm in his expressions of satisfaction, not only with the aspect of the country, but also in regard to the condition of the people he was sent to govern. "There is not a poor body in all the province, nor that wants," wrote he to the proprietaries in England; and he urged them to hasten emigration as rapidly as possible, with the annunciation "here wants nothing but people;" his discerning mind at once discovering in the sparseness of the population, and especially of the class favorable to the proprietary interest, one great cause of the difficulties his predecessors had encountered. Emigration, he thought, would "bring all the division that hath been here to an end, for these men seeing that they shall be balanced, are already more compliant than they were."

²⁴ Gordon says "the new proprietaries do not appear to have deemed any modification of the civil polity of the country necessary." Why then propose the new code? It is probable that Lawrie had reference to the adoption of this new system, when, shortly after his arrival he wrote to the proprietaries, "I cannot at present mention all particulars, which you must supply by some general clauses or words, for it is not

possible for you to understand what is for the good of the province as I do that am here." Instructions were subsequently given, (August, 1684,) providing for the adoption of the "Fundamental Constitutions" by the Assembly before putting them in force, and authorizing the confirmation of the acts of that body as constituted under the Concessions. Grants and Concessions, p. 196.

The proprietaries had not been so unmindful of their interests as not to make strenuous exertions to induce the removal of planters and others to their newly acquired territory. The first twelve associates, directly after receiving their deed from the trustees of Carteret, published a "Brief Account of East Jersey," in which they presented in the most favorable light its advantages of situation, climate and fertility, and set forth the comforts, conveniences and productions which the cultivator of the soil, the tradesman, or the mechanic could so readily render available for his ease and profit within its limits.²⁵

This publication, aided by the personal influence of Governor Barclay and the other Scotch proprietaries, created considerable interest for the province in the minds of many of their countrymen, at that time dissatisfied with their political condition and suffering under religious persecution.²⁶ A number of emigrants were consequently soon in motion, and Lawrie, writing in March 1684, says those who were then arriving would have a tendency to advance the country beyond all its improvement during several preceding years. Many of these early settlers were sent out in the employ of the different proprietaries and most prominent landholders, or under such agreements as would afford to them the benefits of the "head-land" grants for each individual brought into the province; fifty acres being allowed to each master of a family, and twenty-five for each person composing it, whether wife, child or servant, each

²⁵ See Note S. for this publication at length. It is the basis of all the information upon East Jersey in Blome's Book, entitled "The Present State of His Majesty's Isles and Territories in America,

&c., London, 1687, by Rich'd Blome." Frequently quoted, though abounding in errors.

²⁶ Grahame II., p. 293. [Edit. 1837.]

servant to be bound three years, at the expiration of which time he or she was to be allowed to take up thirty acres on separate account.²⁷

Although partial success thus attended the exertions of the proprietaries to people their province, they found too many prejudices and objections prevailing among the Scots for the current of emigration to continue. Notwithstanding the disadvantages and sufferings under which their countrymen labored, and from which they could be saved by a transfer of themselves, their families and substance to this new land, a voluntary and perpetual exile, in connection with national and religious objections, seemed to enshroud that proposed refuge in clouds of doubt and uncertainty, too dark for the eyes of many to penetrate sufficiently to behold the bright prospects which the sacrifice required of them would purchase. The proprietaries, therefore, determined to enlighten the public more fully in relation to East Jersey by publishing a historical and statistical account, more particular in its details than their first publication; and in 1685, George Scot of Pitlochrie, at their instance, wrote a work entitled "The Model of the Government of the Province of East Jersey in America," in which the objections to emigration were refuted, and the condition of the province stated at length. Its effect was

²⁷ Brief account of East Jersey. Among those availing themselves of this privilege, the following persons are named in the Records: December 16, 1684, Gawen Lawrie, 8 persons: Wm. Haige, 8; the Scotch Proprietaries 22 and 2 overseers; Capt. Thomas Pearson, (November 1684,) 14; Wm. Dockwra, (December 1684,) 24, and subsequently 10 more; John Barclay, (March

1683,) 6; Stephen and Thomas Warne, 11; Robert Fullerton, 9; John Campbell, 8; Captain Andrew Hamilton, 10; David Mudie, 17; Lord Neil Campbell, (December, 1685,) 56; James Johnston, 9; John Forbes, 4; George Keith, 6; Charles Gordon, 5. Many of these became prominent and influential individuals in the province.

highly beneficial, particularly as the author added example to precept by embarking himself and family for East Jersey. He was accompanied by nearly two hundred persons, and sailed from Scotland about August 1st, 1685, but both himself and wife died on the passage.²⁸ Other companies followed, and, to use the words of Grahame, "American society was enriched with a valuable accession of virtue that had been refined by adversity, and piety that was invigorated by persecution."

The instructions of the proprietaries to the deputy-governor, so far as they refer to the dissensions in the province, were of a nature to sooth the irritated feelings of the colonists, and restore tranquillity. Mild in their language, they were yet firm in requiring the execution of engagements which they considered justice to themselves and other settlers called upon them to enforce, but they rendered their performance comparatively easy, by investing Lawrie with all authority necessary to make such arrangements with the delinquents as in his discretion he might see meet, "not standing much with them upon small matters." The opposition to the title of the proprietaries, although quieted by these means, was not by any means destroyed. Addresses were presented to the first of the body that came to the province, setting forth the claims under the Indian purchasers, and the alleged evils to which the claimants had been subjected. These were answered in a dignified letter,²⁹ in which it was justly remarked that those who, under any pretence, would endeavor to subvert or weaken the proprietary authority could neither be their friends nor the

²⁸ See the work at length in the Appendix, and the introductory remarks thereto, for some account of the author.

²⁹ Grants and Concessions, p. 188.

friends of the province; for such a course would inevitably expose both themselves and others to become the prey of designing men, as had already been experienced. An assurance was added that the just rights and privileges of all concerned in the province would be protected and due encouragement afforded; and the reasonable expectation was expressed, that the care and interest taken by the proprietaries, would be met by due submission on the part of the inhabitants. In order to prevent any additional difficulty from the acquisition of Indian titles by individuals, the regulation respecting their purchase solely under the authority of the deputy-governor was continued in force, and that officer was directed to make a requisition upon the proprietaries for the necessary funds; a cargo of goods, valued at seven hundred and fifty pounds, had been sent out for the purpose as early as 1682, with Rudyard and Groome, under the charge of the latter, and by him expended for the purpose.³⁰

It was well foreseen by the proprietaries that, if aught could obstruct the welfare of their territory, it would be collision with the province of New York, having for its head the heir apparent to the throne of England, one, whose arbitrary temper and disregard of solemn engagements had already, more than once, been exhibited in connection with East Jersey; conciliation, therefore, was not only in accordance with the principles of Quakerism, but also with the promptings of sound judgment and discretion, as the power to enforce would undoubtedly be an attendant upon the will that might project any hostile measure. They, therefore, required that a

³⁰ Grants and Concessions, p. 176.

friendly correspondence should be kept up with the governor and colony of New York; carefulness was enjoined in avoiding any cause for complaint of interference with their interests, and as they disowned all idea of benefiting themselves by any measures that might be injurious to that province, Lawrie was cautioned against giving encouragement to emigration thence into East Jersey.³¹ Their instructions referring to the intercourse with other provinces were of a different character, the deputy-governor being required to see that "his just and honest interest" should be maintained, and nothing prejudicial to the proprietaries allowed.

The wishes of the proprietaries respecting New York were complied with by Lawrie, for before entering upon the duties of his office he visited the governor of that province, and remained with him two or three days, receiving evidences of kindness and respect.³² Governor Dongan, however, was as desirous as his predecessor had been to re-annex New Jersey to New York, but, being of a less grasping temperament, his wishes led not to the adoption of any open acts of hostility to the existing government.³³

The greater number of the proprietaries being in England and Scotland, all orders and instructions, however minute, emanated at first from their councils there; but emigration, and a transfer of proprietary rights soon brought to the province such a number of those directly interested in the soil, that on the 1st August, 1684, a board of commissioners was established, comprising all the proprietaries that might be from time to time in the province, to act with the deputy-governor in the tempo-

³¹ Grants and Concessions, p. 171.

³² Chalmer's Annals, pp. 621, 627,

³³ Scot's Model, p. 163.

and see Note T.

rary approval of laws passed by the Assembly—the settlement of all disputes with the planters—the purchase and laying out of lands and other matters.³⁴ This soon after became known as the “Board of Proprietors,” and continued to have the chief management within the province of those concerns which were connected with the proprietary titles to the government and soil.

To this Board was also intrusted the adoption of such measures as might best conduce to the advancement and improvement of a new town to be called “Perth,” in honor of the Earl of Perth, one of the proprietaries, standing on what was then known as *Ambo Point*; for the settling of which proposals had been issued in 1682, immediately on their obtaining a title to the province.³⁵ This town was a favorite project of the proprietaries, and they prefigured for the object of their solicitude a destiny which has never been realized.³⁶ At the time of Lawrie’s arrival there were several houses already erected and others preparing for erection, (the site having been surveyed and the town laid out by Samuel Groome,) and his attention was immediately given to the execution of the plans based upon the expectation that it should become the chief town and seat of government, as well as the principal seaport of the province.³⁷

³⁴ Grants and Concessions, p. 195.

³⁵ Brief account of East Jersey, see Note S.

³⁶ From the importance of this place as the capital of the province, the influence many of its citizens had upon its affairs, and other considerations, the author would have introduced an extended notice of its settlement and progress had he not been deterred by the fear of adding to the bulk of his volume, and the apprehension that the local character of

the history would render the addition less interesting to the general reader.

³⁷ In directions emanating from the proprietaries in England in November, 1684, the Courts and Assembly are directed to sit, and the deputy-governor required to reside and convene his council at Amboy, but Lawrie appears to have disregarded the order, continuing to reside at Elizabethtown. This disobedience Oldmixon and Wynne mention as the cause of discontent with Lawrie’s

In prosecuting their intentions in this last respect the proprietaries were particularly cautious; directing Lawrie to take every precaution to prevent infringements of the navigation laws in relation to the payment of duties, or otherwise, in order that no complaint against them on that account might be made;³⁸ and Lawrie seems to have complied with their behest, in part, by admitting William Dyre, in April 1685, to the discharge of his duties as collector of the customs in New Jersey.³⁹

The acknowledgment of this officer led to difficulty. Governor Dongan, when exculpating himself from the charge of endeavoring to subvert the rights of the proprietaries, claimed credit for permitting vessels to proceed directly to and from the province, which his predecessors had not allowed; but so soon as the authority of Dyre was established over East Jersey, the inhabitants found they were debarred this privilege; their vessels were to be entered, and the duties on their cargoes paid at the office of the collector in New York; regulations to which they were little disposed to conform. In June, 1685, when Dyre had exercised his office about two months, he complained to the commissioners of the customs of the opposition he experienced, and stated that when he prosecuted vessels, the juries found their verdicts against him contrary to the most undoubted facts, so that all legal redress was denied him.⁴⁰

This complaint was referred to the ministers, and acted upon by them with a promptitude which evinced

administration. It may have tended to increase their disapprobation, but there were other causes operating.

³⁸ Grants and Concessions, p. 171.

³⁹ E. J. Records, C. Laws, p. 96.

The oath of office was administered

April 1st. He had been appointed by the commissioners of the customs, collector for both Pennsylvania and New Jersey, on 4th January, 1682.

⁴⁰ Chalmers' Annals, p. 621.

their willingness to avail themselves of any pretext to forward the schemes then under consideration, based upon the representations of the New York governors, for the re-annexation of New Jersey to the territory of James. The Attorney-General was ordered in April, 1686, to issue a writ of *quo warranto* against the proprietaries, the reason assigned being the "great prejudice in the plantations and to the customs here, if such abuses should be any longer suffered in a country which ought to be more dependent on his majesty."⁴¹

The death of Charles II., in February 1685, had raised the Duke of York to the throne as James II., and his investiture with the robes of royalty was the prelude to his putting aside all obligations and agreements which conflicted with his views of interest, or interfered with the full exercise of his arbitrary power.⁴² For this very august personage had thrice as Duke of York and Albany, by different patents, and by numerous other documents, conveyed and confirmed to others all the rights, powers and privileges which he had himself obtained in this identical territory, which was now to be made "more dependent" on his sovereign will and pleasure. But he was told his revenues would be increased by an extension of his royal mantle over New Jersey, and hesitate he could not in adopting measures to effect it.

The proprietaries in England were not silent under these proceedings of the crown. In a remonstrance which they presented to the king they reminded him that they had not received the province as a benevolence,

⁴¹ Chalmers, p. 622.

⁴² Bancroft says, (p. 405, 10th Edit.) "He kept his word sacredly, unless it involved complicated relations, which he

could scarcely comprehend." If this is true New Jersey must have confused him greatly.

but had expended for it twelve thousand pounds ; that under his own confirmation of their title and his assurances of protection, they had sent thither several hundreds of people from Scotland ; and they stated their willingness, should he desire it, to propose to the Assembly of East Jersey the imposition of the same taxes that were levied in New York. They even went farther, and prayed that the king, if he deemed a change in the administration of the province necessary, would himself select a governor from the body of the proprietaries to rule over both East and West Jersey as one jurisdiction ; that an appeal from the courts of the province should be had to England only ; and to avoid all future difficulty in relation to the navigation acts, they requested that an officer might be appointed to collect the customs at Perth Amboy.⁴³

This last was the only request granted, as it was the only one that promised any additional revenue, and did not conflict with the designs then under consideration.⁴⁴ In all other respects James was inexorable ; his friendship for Barclay, and all the influence of the Earl of

⁴³ Chalmers, p. 622, quoting N. J. Papers, pp. 73-83.

⁴⁴ An order was transmitted to the governor of New York, in August 1687, (Chalmers says May, but the copy sent to East Jersey is in the author's possession, dated August 14,) directing him to permit vessels to pass to Amboy without interruption ; provided the authorities would allow such person as the governor of New York or the receiver general of that province should appoint, peaceably to perform the duties of collector, &c., and one was appointed accordingly. As a return for this favor, or

possibly with a hope that it might facilitate the negotiations with the king,—then presumed to be in progress, but which were in fact consummated,—the Assembly of East Jersey, in May, 1688, passed an act levying a tax of a penny a pound on estates, and tenpence per head on males over sixteen, for the service of his majesty against the French, and under the command of the governor of New York ;” who had been directed by a letter from the king, dated November 10th, 1687, to call upon other provinces for aid. Grants and Concessions, p. 306.

Perth and other courtier proprietaries being of no avail in deterring him from involving New Jersey with the other colonies whose charters and constitutions he had resolved to annul.⁴⁵

Complaints having been made to Charles II. against the colony of Massachusetts Bay, he had called for a surrender of its charter, and on receiving a refusal from the general assembly, a writ of *quo warranto* was issued in 1684; but the death of Charles had left the proceedings under it to be consummated by his successor, whose rapacity for power and arbitrary nature, prompted him to make the subversion of the liberties of one colony the precedent for similar injustice to all, as if its general application would legalize the principle or render it less obnoxious. In furtherance of this scheme, James, towards the close of 1686, sent over his former pliant servant Andros, whom he had knighted, with a commission as Governor over all New England. Taking up his residence at Boston, that functionary assumed the chief authority in Massachusetts, and proceeded the following year to visit, in succession, Rhode Island and Connecticut, whose respective governments he dissolved, vesting in himself all power and dominion, even beyond the limits granted by his royal master.

Finding the king immovable in his determination to extend the sway of Andros over their province as well as over New England, the proprietaries of East Jersey considered it advisable to abandon the hopeless contest for their previously conceded privileges, and by facilitating the king's design obtain his guaranty to respect their right to the soil. They, consequently, made a

⁴⁵ Grahame, II., p. 296, [Edit. 1837.]

formal surrender of their patent on this condition in April, 1688,⁴⁶ and as James agreed to accept it, the proceedings under the *quo warranto* process were no longer needed for East Jersey, and, as the proprietaries of West Jersey had entered also into the arrangement,⁴⁷ a new commission was directed to Andros, annexing both provinces, together with New York, (the commission of Governor Dongan having been superseded,) to his government, and Francis Nicholson was appointed his lieutenant.⁴³

On the receipt of this commission Andros once more presented himself in New York, received the government from the hands of Governor Dongan on the 11th August, and a few days thereafter visited both East and West Jersey; creating less confusion and causing less anxiety in the minds of the inhabitants than there was every reason to anticipate, and exhibiting greater wisdom than he generally manifested, by continuing all the existing officers in their places; so that the change in the government was in a measure nominal.⁴⁹ After the due regulation of affairs in New York to suit his pleasure, he confided the administration of the government there to his lieutenant, and continued his own permanent residence at Boston.

In order to present a connected view of the measures

⁴⁶ Smith's New Jersey, pp. 211, 568. Grahame II. p. 296, Edit. 1837. Grants and Concessions, pp. 604-5.

⁴⁷ It does not appear, however, that they were involved in the *quo warranto* case.

⁴⁸ Grahame, II., p. 218.

⁴⁹ "I arrived here the 11th August past, when His Majesties Letters Patents being published, received this place, as

also East New Jersey the 15th, and West New Jersey the 18th following, where by proclamation continue the revenue, and all officers in place, till farther order." Andros's Despatch, dated New York, October 4, 1688. New York Colonial Papers. Nicholson, under date of 31st August, says the two Jerseys were "settled to their great satisfaction."

concerted in England, the events transpiring in the province have been left unnoticed, but their consideration will now be resumed.

Little information can be obtained respecting the political condition of East Jersey, or the advancement of the people in the comforts, enjoyments, and advantages of increasing civilization during the period under review. The records are confined almost exclusively to the preservation of documents emanating from the proprietaries abroad, and in all probability the communications of the deputy-governor to them, and other important sources of information which they must have had in possession, have long since disappeared, leaving unexplained much that is calculated to excite curiosity and interest.⁵⁰ Enough can be gathered, however, on which to base a conviction that, although the increase of population was considerable, and the reward of industry abundant, yet the improvement of the province was not commensurate either with the expectations or exertions of the proprietaries.

This may be attributed, mainly, to the unfortunate dissensions respecting titles to the soil, which are so frequently presented as the prolific source of difficulty; the various claims under patents from different governors, purchases from the Indians and individual grants, affording a most extensive field for litigation and excitement, to the cultivation of which the lapse of time presented no obstruction. It is also suggested by some writers,⁵¹ that the interest taken by Lawrie in West Jersey, ren-

⁵⁰ The letters of Lawrie and others, written just after their arrival, and fortunately incorporated into Scot's Model, (being thereby preserved,) are some evi-

dence that the value of the lost documents is not overrated.

⁵¹ Oldmixon. Wynne.

dered him less attentive to devising measures, or carrying out the views of the proprietaries, for the welfare of the territory confided to his charge. Speculators in the Board of Proprietors may also have tended to the disadvantage of the province by forestalling the most desirable tracts or locations, more with the view of realizing large profits from subsequent sales, than from the actual improvement of the lands while in their possession.⁵²

The proprietaries having declared themselves averse to the multiplication of transient laws, it being "both proper and safe that the common law of England should serve" wherever applicable,⁵³ the deputy-governor seems to have considered it unnecessary to call a meeting of the Assembly before April, 1686, in which month a session was held, for the first time, at Perth Amboy, the new seat of government.

The subjects of legislation were few. The principal acts were, one for the regulating the value of silver coin, and another against wearing swords, pistols and other weapons, and giving or receiving challenges; the preamble to the latter stating that many of the inhabitants of the province received great abuses, were put in great fear, and involved in quarrels and challenges by reason of many persons carrying unusual and unlawful weapons;⁵⁴ a state of society resulting naturally from the strife and excitement which have been referred to. The first named act is worthy of notice from its being the only attempt made in New Jersey to legislate on the subject. Its object was to prevent the transportation of silver from the province by raising it above its true value in all business transactions; and so little were the mys-

⁵² Wynne, I., p. 209.

⁵⁴ Grants and Concessions, pp. 285,

⁵³ Grants and Concessions, p. 177. 289.

teries of finance and the circulation of the precious metals understood by its framers, that the law does not seem to have been considered at all objectionable, or its effect doubted, until its evil tendencies were elicited in practice. Before the end of the year, however, at a subsequent session of the same Assembly, it was repealed, "it being found by experience that many inconveniences may attend the same."⁵⁵ The other acts were slight alterations or amendments of existing laws, save two which were intended to carry out the wishes of the proprietaries by establishing markets, fairs and 'courts of common right' at Perth Amboy.

Although the alleged want of interest in the prosperity of East Jersey on the part of the deputy-governor may be doubted,—for the references which have been made to the events of his administration have plainly manifested his capability, prudence and integrity,—yet the proprietaries in England had reaped but few of the advantages they had anticipated from the settlement and improvement of their province; the future gave very little promise of better things, and these results they appear to have regarded as more the fruit of mistaken action on the part of the executive authority in the province than of unavoidable circumstances, and the remedy being in their power, was applied:—Lawrie was superseded.⁵⁶

In the choice of a successor they were prompted by the great influx of population from Scotland, to

⁵⁵ Grants and Concessions, p. 295.

⁵⁶ The only direct intimation of their displeasure is found in Grants and Concessions, pp. 211, 212, having reference to his locating a desirable tract of land in his own name, instead of allowing all the proprietaries to partake of it, but it is not known that this was contrary to

any of the rules and regulations of the proprietaries. It was without doubt, however, the main cause of his removal, as it had been that of Ruyard's, both having selected lands on the Raritan for themselves, which were thought by the proprietaries in England superior to *any other* tracts in the province.

strengthen their influence in that quarter, and probably occasion increased emigration, by selecting one from the proprietaries residing there. Lord Neill Campbell, a brother of the Earl of Argyle,⁵⁷ whose invasion of Scotland, in 1685, for the purpose of revenging the wrongs of his countrymen had terminated so unfortunately for himself and his adherents—being obliged to flee from Scotland, in consequence of his connection with that nobleman; the proprietaries availed themselves of the circumstance to secure a new deputy-governor for East Jersey: Campbell, foreseeing probably that he would be obliged to leave his country, having secured a refuge in the province by purchasing, in August 1685, the right held by Viscount Tarbet,⁵⁸ and sent over a large number of settlers,—persons, probably, whose relations to the government were similar to his own—who arrived in the province in December of the same year.

Lord Neill was appointed by the proprietaries in England their deputy-governor for two years on the 4th June, 1686,⁵⁹ and he reached the province the ensuing October; his commission being published on the 5th and his council appointed on the 18th of that month.⁶⁰

The diversity of character, religion, pursuits, and political relations prevailing among the proprietaries of East Jersey at the period under review is remarkable; and the attention of the student of our history is neces-

⁵⁷ Grahame calls him the *uncle* of the Earl; he was so of a *subsequent* Earl.

⁵⁸ One-fourth of one twenty-fourth. Bill in Chancery, p. 84. The original deed is in the Rutherford Collection. Argyle was beheaded June 30th, 1685.

⁵⁹ E. J. Records.

⁶⁰ His council consisted of Gawen

Lawrie, Major John Berry, of *Bergen*; Isaac Kingsland, of *New Barbadoes*; Captain Andrew Hamilton, of *Amboy*; Richard Townley, of *Elizabethtown*; Samuel Winder, of *Cheesequakes*; David Mudie and John Johnstone, of *Amboy*; and Thomas Codrington, of *Raritan*.

sarily drawn to the consideration of the fact, in reference to the appointment of Lord Neill Campbell to be deputy-governor of the province. For Robert Barclay,—the prominent Quaker, with all the peculiarities of his quiet, peaceful sect, the advocate of gentleness and non-resistance,—to be associated in any enterprise with a stanch Scotch Presbyterian of 1685, one who could appeal to the sword as the avenger of his wrongs or the asserter of his rights, and connect himself with those who, in battle array, could seek to subvert the government established over them, is in itself calculated to excite surprise; but to have that association strengthened into official relationship, however slight, and have him join in commissioning, as his subordinate, one whose views in every respect we should think so entirely dissimilar to his own, is still more wonderful. We must presume that private prejudices and feelings were allowed to be overcome, where the interests of East Jersey seemed to require the sacrifice.⁶¹

Lord Neill's stay in the province was of short duration. On the 10th December, he appointed Andrew Hamilton his substitute, "by the urgent necessity of some weighty affairs being about to take a voyage to Britain," and he probably sailed in March following, (1687,) Hamilton's commission being published on the 12th of that month.⁶² Campbell's appointment probably

⁶¹ It is uncertain that the Earl of Perth joined in commissioning Lord Neill, but it is an illustration of the strange commingling of men in the East Jersey enterprise, that he, a stanch adherent of James, and one of the jury who in 1681 had found the Earl of Argyle guilty of treason, should have his in-

terests looked after by that Earl's brother!

⁶² Hamilton's authority was confirmed by a commission from Governor Barclay, August 18th, 1687, which was published June 19th, 1688. He received 100 pounds sterling for his services.—E. J. Records.

induced some emigration to the province from Scotland, but in other respects seems to have had no effect upon the condition of affairs for good or ill. The only act of his of which any knowledge is had, exclusive of granting patents for land and appointing officers, is the approval of five acts of minor import passed by an Assembly that convened in November. One of these regulated the fees of the several officers of the province "in consequence of the great burthen the inhabitants had sustained and complained under by reason of extraordinary fees;" and another related to the office of sheriff, obliging any person elected to that office to serve under a penalty of fifteen pounds for refusing.⁶³ It is from such glimpses alone, as these acts afford us, that any insight can now be obtained into the true position of the government with reference to the respect and confidence evinced towards it by the people; and these do not present it in a light to render it probable any great cordiality existed between the governors and the governed.

The speedy return of Lord Neill to Scotland was probably owing to the favorable change which had taken place in the measures of James; whose desire to relieve the Roman Catholics from the penal laws and the various liabilities to which they were subjected, had led to a great melioration of the restrictions placed upon the Presbyterians—intended to render the project more popular. Campbell may have found it unnecessary to expatriate himself longer under these circumstances, and consequently resigned the honors which had been conferred upon him in East Jersey.

Andrew Hamilton, left by Lord Neill as his substitute, had been a merchant in Edinburgh. He had come

⁶³ Grants and Concessions, p. 296.

to the province with his family about the time of Campbell's arrival, to whom he was recommended by the proprietaries as a friend to their interests, and one of whose fidelity and ability for business they were well assured; he having visited the province previously as a special agent, and given them in that capacity every satisfaction.⁶⁴ He appears to have been a man of intelligence, and to have acted in a manner to advance, in as great a degree as circumstances would permit, the interests of the proprietaries without increasing their unpopularity or embroiling them with the people.

The deputy-governor met an Assembly at Perth Amboy on 14th May, 1688, but the session resulted in no legislation of importance excepting the passage of an act levying a tax of a penny in the pound on all estates, and tenpence per head on all males over sixteen years of age, for the service of the crown against the French; subject to the orders of the Governor of New York, who had been authorized in the November previous to call upon the other provinces for assistance.⁶⁵ It is probable, however, this was complying more with the letter than with the spirit of the requisition, with the view of favorably affecting by their generosity the measures that were thought to be under consideration in England. The enforcement of the tax is doubtful, and, accustomed as the inhabitants were to almost entire exemption from

⁶⁴ E. J. Records B, p. 25.

⁶⁵ Grants and Concessions. Chalmers, followed by Grahame, [Edit. 1837,] states erroneously that this act was passed the year before. At this session Somerset County was set off from Middlesex. "Forasmuch as the uppermost part of Raritan river is settled by persons whom, in their husbandry and

manuring their land, forced upon quite different ways and methods from the other farmers and inhabitants of the county of Middlesex, because of the frequent floods that carry away their fences on their meadows, the only arable land they have, and so by consequence their interest is divided from the other inhabitants of the said county."

taxation for the support of their own government, it is not probable that they would readily contribute to the relief of New York, a province which had so materially and repeatedly interfered with their just rights.

In August 1688, as has been already stated,⁶⁶ the province was resigned to the jurisdiction of Governor Sir Edmund Andros. The deputy-governor and all his subordinates were continued in office, but respecting the retention of their original powers, or the extent of action allowed them independent of the royal representative under whom they had been placed, little definite information can be obtained. The course of Andros in accepting the mere acknowledgment of his authority as sufficient without revolutionizing the government, was probably, in part, owing to the fact that the surrender of their rights by the proprietaries, involved the issuing of a confirmatory grant to them from the crown of all the immunities of the soil; and until that arrangement was fully consummated, the continuance of their officers in power might have been considered expedient.⁶⁷ The forbearance of Andros, however, under any circumstances, is remarkable, and the wisdom of his course unusual; arrogance, disregard of rights, and impetuosity in his decisions, having been so strikingly manifested by him in all his previous transactions with the authorities of East Jersey.

The revolution in England in favor of William and Mary, having led to the seizure of Andros by the people of New England in April 1689, and the subversion of his government, his authority in the several colonies

⁶⁶ See page 113.

⁶⁷ Grahame, II. p. 297, [Edit. 1837.]
This grant was never made by James.
As late as September, 1688, Barclay, as

governor, entered into an arrangement with the governor of West Jersey relative to their common boundary line. Smith's N. J., p. 196.

that had been placed under his jurisdiction was at once destroyed: and had the proprietaries felt themselves strong in the affections of the people, and able to sustain themselves amid the conflicts of parties, no time could have been more propitious for the resumption of all the rights and privileges they had been obliged to relinquish. But they were in many respects peculiarly embarrassed. Unanimity of action could not be obtained, from the fact that the counsels of the Board in the province were rendered necessarily inefficient through a want of the requisite information as to the sentiments of their associates in Great Britain. Many had been, or were, closely connected with the King, or were friendly to his cause, and all were probably disposed to reverence more highly than they should have done, one, who as Duke of York, had been the grantor of their possessions. Hamilton, by throwing off the responsibilities he had so recently assumed as the representative of the royal government, would have virtually declared for William, and added to the obstacles already in the way of a full enjoyment of the rights of the proprietaries, without in the least strengthening his position with the people; whose predilections, it may be safely inferred, were in favor of a dependence upon the crown rather than upon the government of a numerous body of proprietaries.

In May, the deputy-governor, obeying a summons from Andros's lieutenant in New York,⁶⁸ repaired thither to consult with the authorities of that province upon the course proper to be pursued in the peculiar situation of the government, but thereafter does not seem

⁶⁸ New York Colonial Papers. Mr. the Bergen justices attended with the Van Cortland to Sir E. Andros, July 9th, 1689 The summons was general, and deputy-governor

to have taken any part that would have identified him with either of the great factions that were disturbing the mother country. There was no outbreak among the people of East Jersey as in the other colonies subject to the authority of Andros, from the peculiar circumstances which have been mentioned; but there was so much room for doubt as to what should be the policy and measures of the government, that Hamilton deemed it proper to proceed to England in person to advise with the proprietaries. He sailed accordingly, but on his voyage was taken prisoner by the French, and for some time detained.

MAP OF EAST JERSEY.

THE MAP which precedes the foregoing portion of the narrative, was compiled from various sources, and without being entirely accurate, will give the reader an idea of the extent of the settled portion of the province, about the time it passed into the possession of the "twenty-four;" as well as other information which may be of service in rightly determining its condition both before and after that event.

THOMAS RUDYARD.

THIS gentleman, selected as the first representative of Governor Barclay in the province, was originally from the town of Rudyard, in Staffordshire, but at the time of his appointment was a resident of London. His legal attainments are stated to have been of a character that insured him an elevated rank in his profession, and it was probably from his con-

nection with the trial of Penn and Mead in 1670,⁶⁹ in which Smith says he took a prominent part, that he became interested in the East Jersey project. Certain it is he took an active part in the preliminary measures for the advancement of the province after its transfer to the twenty-four proprietaries; the Concessions,—their plan for the foundation of their capital, Perth Amboy,—a map of the country,—and other documents, being deposited at his residence in George-yard, Lombard street, for the inspection of all adventurers to the western world.

Selected by the proprietaries as their deputy-governor, Rudyard appears to have embarked for the province with a full determination to make it thereafter his home. He brought with him two persons less able than himself to bear the toils, exposure and deprivations, incident to a newly-settled land, but who seem to have entered upon their new sphere of life with that energy of mind and contentedness of disposition which invariably bring their reward: these were his daughters, *Margaret* and *Anne*,—ladies highly esteemed—and the first has left a name in the traditional annals of Perth Amboy (for many years her residence) which is associated with many remembered virtues; the stamp of truth being set to the record by the fact that the Episcopal congregation of the ancient capital is to this day enjoying, to a considerable extent, the fruits of her liberality.

Ere six months had elapsed after their arrival, Rudyard, when writing to his friends in England, says of his daughters, "they tell me they would not change their place for George-yard," showing that they had identified themselves with the objects around them in no small degree; but the impartiality of the chronicler requires the notice of a probability that attractions, other than those of general society, climate, and natural scenery, had their due weight in making them thus contented, for they were both "woo'd and won" soon after their arrival, by two gentlemen of New York. *Anne* became the wife of Mr. John West, "merchant," and *Margaret* the wife of Mr. Samuel Winder, who after his marriage removed to a plantation near Middletown, where he died. He had previously resided on Staten Island.

However much Rudyard may have been annoyed by his unceremonious dismissal from office,⁷⁰ he appears to have submitted to the wishes of his associates without opposition; an indication of a mildness of disposition, which, in connection with the great interest he manifested in the

⁶⁹ William Penn and William Mead were indicted "for being present at, and preaching to an unlawful, seditious, and riotous Assembly," contrary to the provisions of what was called the Conventicle Act. The Quakers, being kept out

of their meeting houses, met in the street before it, and Penn and Mead there preached to them. Proud's Pennsylvania, I., p. 84.

⁷⁰ See page 99.

prosperity of the province, and the prudence evinced in the general ordering of its affairs, prompts some regrets that he could not longer have remained at the head of the government.

Previous to Mr. Rudyard's departure for Jamaica,⁷¹ he gave his daughters one-half of his proprietary right, excepting a few specified lots, and left written instructions with his sons-in-law for the management of his and their estates, commencing with this admonition: "*Imprimis*, that you love each other, be tender of each other's reputation, and in all matters of weight not only advise with, but be assistant to each other, as becometh the relation you bear." Deficient as may be our knowledge of his character in other respects, we may charitably suppose that what he could thus inculcate he could also exhibit, in all its beauty, in his own "life and conversation." He died abroad in 1692, leaving, besides his daughters, two sons, *Benjamin*, who at the time of his father's death resided in the island of Barbadoes, and does not appear to have come to America, as he disposed of his inheritance in 1695; and *John*, to whom his father left all his West Jersey lands, in which section of the state he probably has descendants.⁷²

Mr. Rudyard's executors declining to serve, Messrs. Robert Wharton and George Willocks were appointed administrators; and the intimacy that arose by consequence, between these gentlemen and the families of West and Winder led to a more tender connection with their wives when death deprived them of their husbands, which was the case a few years thereafter, *Anne* becoming the wife of Mr. Wharton, (and subsequently the wife of Governor Andrew Hamilton,) and *Margaret* the wife of Mr. Willocks. It was as Mrs. Willocks that the latter became a benefactress of St. Peter's Church at Perth Amboy, as has been stated, and a tablet to her memory, in connection with others, is inserted in the wall of that ancient edifice. She left no children, and it is not known that her sister did, at least no descendant of the deputy-governor is thought now to be living in East Jersey.

⁷¹ E. J. Records, A, pp. 138, 217, 218. November, 1685, December 5, 1685. His will was dated at New York, December 7th.

⁷² John Rudyard died February, 1726, and from "sailor's instruments" being

mentioned in his will, he may have 'followed the sea.' He mentions six children (Thomas, John, Daniel, Mary, Margaret and Ruth,) and a brother-in-law named Daniel Smith.

GAWEN LAWRIE.

THE character and acts of Deputy-Governor Lawrie have been too much dwelt upon in the foregoing pages to render necessary an extended notice of him in this place. Little information, however, is now to be gathered respecting him and many others whose exertions created for us the goodly heritage we enjoy, and such illustrations of their private character and domestic relations as are calculated to interest us are especially rare.

We first meet with Lawrie's name, in connection with those of William Penn and Nicholas Lucas, as one of the assignees of Edward Byllinge (the purchaser of West Jersey from Lord Berkeley,) who in 1676 placed in their hands for the benefit of his creditors the whole province of West Jersey. Lawrie was one of the creditors, but what direct interest he acquired in the province, as such, is not known to the author, although the records of the western division may give the information. It was without doubt considerable, and the management of Byllinge's affairs, in all probability, prepared the way for his embarking, with Penn and other Friends, in the East Jersey enterprise.

The deputy-governor brought with him to the province his wife and family, and took up his residence at Elizabethtown, continuing to reside there notwithstanding the expressed wish of the proprietaries that he would remove to Perth Amboy, a circumstance to which some writers have attributed his removal from office, as has been stated.⁷³ It is not to be wondered at, that, with his family around him, he should have preferred remaining the occupant of the proprietary house at the former place to the comparatively uncomfortable residence in the embryo city; but he evidently took a warm interest in Perth Amboy, and may with truth be considered its founder.

He surrendered the government to his successor in October, 1686, became one of his council, and so continued until his death, which occurred at Elizabethtown in the autumn of 1687. Mrs. Lawrie (Mary) survived her husband, and in his will he charged his children to render her every kindness and attention, she 'having been loving, tender, and careful both to them and him.'⁷⁴ They had one son, (*James*,) whose daughter Isa-

⁷³ See page 108, *note*.

⁷⁴ E. J. Records, B, p. 137. In 1683, Thomas Lawrie, probably a brother of the deputy-governor, with a son James

and daughter Ann, arrived in the province and settled at Frechold in Monmouth county, where it is thought their descendants are yet living.

bella married William Davis of New York, and inherited much, if not all of the estate of her grandfather; and two daughters, *Mary*, who became the wife of William Haige, and *Rebecca*, who married Miles Forster, both of them men of standing in the province. Nothing is known of the descendants of Mrs. Haige; a son of Mrs. Forster removed to the island of Barbadoes, and two daughters died unmarried.

The autograph of Gawen Lawrie does not present his "clerkly skill" in a very favorable light, however great an adept he may have been in business matters.⁷⁵

LORD NEILL CAMPBELL.

THE connection of this nobleman with the province was of so transient a character, that no opportunity is afforded by his public acts to judge either of his character or qualifications, and of his private life the author has no information. He died previous to 1693.

In selecting East Jersey as a place of refuge he was no doubt influenced, in part, by the fact that two sons had already emigrated. *John* is mentioned as early as 1684, with his wife, three children, and eleven servants; and *Archibald* came out immediately after the fatal termination of his Uncle Argyle's enterprise, in which he was engaged as well as his father.⁷⁶

There is a curious conveyance on record, under date of December 16th, 1684, by which one Moneybaird makes over to John Campbell all his interest in Perth Amboy, "on consideration of the said Campbell's sending a footman in velvet to wait on Moneybaird during the time of parliament in New Jersey, and holding his stirrup." The author's antiquarian lore is at fault here, as Moneybaird does not figure at all among the worthies of the province, and could certainly have had no anticipated right to a seat in "parliament;" and "a footman in velvet!" would under any circumstances have been rather a strange attendant upon a yeoman of that period.

⁷⁵ The true orthography of his name is left in doubt even by his own sign-manual. It is given indiscriminately by most of the old documents as "Laurie" and "Lawrie," but the latter is considered the correct form.

⁷⁶ "Two sons of Argyle, John and Charles, and *Archibald Campbell*, his nephew, were sentenced to death and forfeiture, but the capital part of the sentence was remitted." Fox's *James II.* p. 153.

Archibald Campbell died in May, 1702, and it is uncertain whether or not he left children; John died in December, 1689, leaving one son and two daughters.

THE SEAL OF THE TWENTY-FOUR PROPRIETARIES.



THE only impressions of this seal that have been seen by the author, are appended to documents in his own possession, or in the Rutherford Collection, although there may be others scattered through the State. That such a seal ever existed, is a fact but little known, it having long since disappeared. It may have been destroyed on the surrender of the government to the crown, or, being thereafter of no use, have been lost through carelessness.

AUTOGRAPHS

of some of the most prominent individuals connected with the Government of East Jersey.

James. GANTVOER

Robertley Barclay Perth

Edw: Carteret
W. Carteret

Geo Rudyard.

Samuel Groom

Andrew Bown

Caugu Laurie

Nath Campbell

And: Hamilton

John

Barclay

Thomas Gordon

Jer: Basse

William Doekwa

James Zollen W. W. L. M. S.

Wm Sanford

PERIOD IV. .

FROM THE SUBVERSION OF THE AUTHORITY OF ANDROS,
TO THE SURRENDER OF THE GOVERNMENT TO THE
CROWN.

1689—1702.

THE period upon the consideration of which we now enter is involved in more doubt than any other in the history of New Jersey. The proprietary records, so soon as the government was placed under the supreme control of Andros, became no longer the depositories of the official or other papers connected with its administration, and for three or four years cease to throw any light upon passing events. The correspondence between the Board of Proprietors in the province, or the Deputy-Governor with the proprietaries abroad, has become lost in the lapse of years, and we are consequently reduced to meagre gleanings from incidental notices, introduced in irregular and otherwise unimportant documents, for such facts as enable the student to form some, however imperfect, conception of the condition of the province.

Hamilton left East Jersey for Europe in August, 1689,¹ and the inhabitants were left to the guardianship

¹ Gordon says *June*, probably on the faith of the opponents of the proprietaries, who asserted they were left without a government after that month; but the

Records (B, p. 479) mention Hamilton as acting as Deputy Governor until 18th August, 1689; and as continuing at the head of affairs until May 18th,

of their county and town officers from that time until 1692. These, however, possessed ample powers to meet all common emergencies, and without any pressures from abroad, or attempted exercise of any disputed prerogative within the province by the agents of the proprietaries, the authority of these local magistrates appears to have been respected and the peace of the community preserved.² And so averse were the opponents of the proprietaries to the re-establishment of their authority, that for a time the public sentiment was in favor of a continuance in this state of comparatively imperfect organization as to government. For on the arrival of Hamilton in England, and the death of Governor Bar-

1690, which is presumed to be the time when he arrived in England after his detention by the French, and resigned his office.

² Mr. Bancroft, in his 3d Vol. (9 Edit.) p. 47, asks the significant question, "*Will you know with how little government a community of husbandmen may be safe?*"—and adds, "For twelve years the whole province was not in a settled condition. From June, 1689, to August, 1692, East Jersey *had no government whatever*, being in time of war without military officers, as well as without magistrates." The fact that the province must have contained nearly ten thousand inhabitants at this time goes far towards refuting the supposition that no legal restraints were in existence. If the functions of all the provincial officers had ceased—if there were no courts—no administration of justice—no punishment of the guilty—would not subsequent legislation have declared it distinctly? But a reference to the various charters and local regulations, will show most clearly how little probability

there is that such "a state of nature" (as Mr. Bancroft terms it in his earlier editions) existed. [See E. J. Records, B. and I. Lib. I. 2d part, pp. 19-22, II. Lib. III. p. 6, Grants and Concessions. Bill in Chancery. Answer to Bill pp. 6, 14, 15. Newark Town Records.] This question is discussed at length in the Newark Daily Advertiser of March 30th, 1840, and June 17th, 1842, (copies of which are in the N. Y. Hist. Library,) but in those papers it is presumed that Andros appointed distinct officers in 1688, which has been shown not to have been the case. Mr. Bancroft's authority (and probably Grahame's also, for he too appears to have a similar impression) was undoubtedly Chalmers, who (p. 622) adopts as true an assertion made by the opponents of the proprietaries in a petition to the crown in 1699, (to be found in Smith's N. J. p. 508,) which appears to have been satisfactorily refuted. See Grants and Concessions, p. 690. Bill in Chancery p. 124. Newark Daily Advertiser, June 17th, 1842.

clay, which occurred on 3d October, 1690, the proprietaries appointed John Tatham to be their governor, and subsequently, in 1691, Colonel Joseph Dudley, but both nominees the people "scrupled to obey,"—on what grounds is not stated,—thereby nullifying the effect of their subsequent complaint that the proprietaries had left them during this period "without any government whatever."³

In the population of the province up to this period, there had probably been an increase since the estimate made by Nicholls in 1680, of nearly a hundred-fold, so that the number of souls in East Jersey could not have been much short of ten thousand. It was a constant cause of complaint with the governors of New York, that the freedom from taxation and mercantile restrictions in East Jersey, operated greatly to the prejudice of that province, by inducing emigration to the west side of the Hudson: the old towns of Newark, Elizabethtown, and Middletown, were constantly drawing increasing numbers from New England and Long Island, extending their limits or forming in their neighborhood cen-

³ Bill in Chancery, p. 124. Pocket Commentary of first settling of New Jersey, &c., in Philadelphia Library, p. 13. Dudley at that time was one of the New York Council, and subsequently Deputy-Governor of the Isle of Wight, Member of Parliament, and Governor of Massachusetts, "a cunning man, and some say a notorious time server." Douglas II. 248, 269. Governor Slaughter of New York, writing to Lord Nottingham May 6, 1691, said, after alluding to the sad condition of the New England colonies, "the two Jerseys are in something a better posture, and the proprietors of them in England have de-

sired Col. Dudley, the first of his Majesty's Council here, to inspect and manage their affairs, who is very capable of their trust, but will do nothing therein without his Majesty's direction, which I am honestly of opinion may do well, if your Lordships shall so judge, *until they may be annexed with this province, or otherwise, as his Majesty shall command.* New York Colonial Papers. John Tatham, Smith says, (page 191.) was "a Jacobite," which caused his rejection by the Assembly of West Jersey, but whether he resided there or in East Jersey does not appear.

tres for other towns and villages ; while both from Scotland and England a large number of families had arrived and settled in various parts of the province. The new capital, Perth Amboy, had become an important village, comprising among its inhabitants many who in subsequent years filled important stations in the civil or political circles. The Scotch became especially interested in the prosperity of the town, and from it the new settlers spread themselves westward, entering upon the unbroken interior, or establishing themselves on the banks of the Raritan and other streams, becoming soon sufficiently numerous to call for the creation of a new county—Somerset, in 1688, being set off from Middlesex.

With the view of placing their capital on the direct route between New York and Pennsylvania, roads were opened leading thence to the Delaware at Bordentown, intended to supersede the old path by the way of Inian's Ferry, (now New Brunswick,) and between Perth Amboy and New York, packet boats were established to convey passengers and freight.

With the increase of population and the extension of settlements, the want of clergymen and schoolmasters began to be seriously felt, and strenuous exertions were made to obtain them ; indicating, in conjunction with other minor circumstances which may be gleaned from the imperfect records, that an interest in what would affect the future permanent well-being of the province pervaded the people to a greater extent than before, and in some degree commensurate with the advancement otherwise apparent. It would have been singular if under such circumstances the people had been willing to remain long without a government of some kind.

The New England Colonies, on the successful termination of the revolution in favor of William, did not hesitate to resume the exercise of those functions of which they had been deprived by his predecessor; and the proprietaries of East Jersey, in like manner, as the agreement with the crown on the surrender of their powers had never been fully consummated, took again into their hands the affairs of the province and re-organized its government.

On 25th March, 1692, Andrew Hamilton, who was then in London, was appointed governor.⁴ John Barclay, a brother of the late governor, who had been a resident of East Jersey for some years, received the appointments of receiver-general and surveyor-general; and Thomas Gordon, a Scotch gentleman who was also a resident, and who subsequently filled many important offices, was appointed deputy to William Dockwra,—the proprietors' chief secretary and register in England,—to reside and act in the province. In September Governor Hamilton arrived, and was received in a manner that removed every impediment to the re-establishment of the proprietary government, experience having probably satisfied the people of the benefits flowing from the existence in the province of some supreme authority; and the personal popularity of Governor Hamilton conducing to the peaceable resumption of the rights which under other circumstances they would have been disposed to deny to the proprietaries. The governor appointed his council on the 14th September,⁵ and met a general assembly at Perth Amboy on the 28th of the same month.

⁴ East Jersey Records. His salary the first year was to be 300 pounds, and after that 200 pounds.

⁵ East Jersey Records. His council consisted of Capt. Isaac Kingsland of *New Barbadoes*; Capt. Andrew Bowne

At this session the laws previously passed subsequent to 1682, were, with a few exceptions, re-enacted, and others amended.⁶ An act was also passed authorizing four hundred pounds to be raised by a special tax,⁷ in order to lighten the burden of New York in the war existing between England and France, the frontier settlements being much exposed to expeditions from Canada. This was in accordance with the expressed wishes of the government, and the directions of the proprietaries in England under date of 1st June preceding;⁸ and although the representatives, in the preamble to the act, give as their motives for its passage, their sense of duty, the allegiance they owed their majesties, the brotherly love felt towards their neighbors, and the due defence of their own borders, yet the most probable operating cause for this liberality on *their* part, was the desire felt to secure the favor of the crown by what might be considered a popular demonstration of respect for its commands; and on the part of the proprietaries, *their* expectation that to evince such a willingness to conform their sentiments to

of *Chingagoras* (*Monmouth County*), John Inians of *Raritan River*, David Mudie (Richard Hartshorne took the place of Mudie in 1695,) and James Dundas of *Perth Amboy*, John Royce of *Roycefield* (*Middlesex County*), Samuel Dennis of *Woodbridge*, John Bishop of *Rahway*, and Lewis Morris of *Monmouth*.

⁶ Grants and Concessions. The selling of liquor to the Indians was more effectually prohibited,—a standard of weights and measures established,—each county directed to be divided into townships, which was perfected the next year, and 'forasmuch as there was great exorbitances and drunkenness observa-

ble in several towns occasioned by tolerating many persons in selling drink in private houses,' the retailing of all liquors was placed under new regulations.

⁷ All male householders, 16 years old and upward, their male children, servants and slaves of the same age, were to pay each *two shillings*, all other males of that age, not householders, and without estates, *four shillings* each, all females 16 and upward, *one shilling* each, and the deficiency, if any, to be realized from horses, cattle, swine, and land as rated and assessed.

⁸ New York Colonial Papers.

the views of royalty would strengthen their cause, and secure the possession of functions reassumed with considerable doubt and anxiety. Certain is it that East Jersey had little or no danger to apprehend from the French, and there were no special reasons why, at this time, unusual regard should be had to the interests of New York. It appears that the tax was paid by the people through the influence of the motives assigned, or others;⁹ and the following year a similar one was imposed, to raise 430 pounds to support twenty men, to be despatched to Albany for the defence of the frontier, a submission to which was also effected by Governor Hamilton, whose exertions were actively directed to the successful prosecution of these measures of defence.¹⁰ In 1696, however, similar projects for the relief of New York found no favor with the people, not a man being obtainable except under a stipulation that the service should be rendered only in case of actual invasion, and with the privilege of returning to the province so soon as the emergency had passed.¹¹ The neglect shown by

⁹ Chidly Brooks, collector and receiver of the revenue at New York, in his account of receipts and expenditures, from January, 1691, to December, 1695, reported £365 1s. 10d. received in cash from East Jersey, presumed to have been the result of the tax mentioned in the text, as at that time there were no customs paid to New York from the province. New York Colonial Papers.

¹⁰ Grants and Concessions, p. 334. New York Papers. Under date of Nov. 19th 1694, Governor Fletcher writes, "I can obtain no assistance from the adjacent colonies except the Jerseys, who have sent thirty men, which is owing to

the good affection of Governor Hamilton."

¹¹ New York Colonial Papers. Letters from Governor Hamilton to Governor Fletcher, June 26th and August 26th, 1696. He says, "I have formerly acquainted your Excellency that I had set some young men who had been formerly to Albany to invite others: they now inform me that Captain Mathews is so much in their good graces, that if he comes down he is the likeliest man to prevail. I would have him first find out Matthew Moore of Woodbridge, who was one of his company. He knows the temper of the young men and

the other provinces in conforming to the requisitions of the New York governors, was thought a reasonable excuse for a like course on the part of East Jersey.

From 1692 to 1695, inclusive, the sessions of the General Assembly were regularly held, indicating the existence of a more quiet state of society than had existed for some years previous, and confirming in some measure the assertion of the proprietaries in one of their communications to the lords of trade, that Governor Hamilton had served the people acceptably.¹² The legislation also, at this time, for the establishment of schools and the appointment of schoolmasters,¹³—for the improvement of the foreign trade of the province,—for encouraging the growth of wool by exempting sheep from taxation,—the better regulation of different courts,—and the reparation of roads, particularly the great thoroughfare to West Jersey, would seem to imply the existence of an increasing and more general desire to adopt such measures as were calculated to foster the best interests of the community, notwithstanding the divisions and disputes which operated so strongly to prevent

can the best assist. They must be soothed into it, for asserting the power of the Commission will make them all run the province." These plans were unsuccessful, and he afterwards wrote:—"It was with great difficulty I obtained what I did—that in case of an invasion they should march to the frontier and be at liberty to return when the action was over or the enemy retreated: and even to obtain this I was forced to promise them 12d. a day from your Excellency, and pledged my own credit to procure 12d. more at the first sitting of an Assembly. They live so plentifully at home, and get so great wages, besides

several of our youth have gone to the southern colonies to be free from detachments, and several, as I am told, gone aboard Captain Kidd, that there is not a probability to prevail with them to continue in garrison, and indeed very difficult to effect any thing." The letters from which these extracts are taken, were dated at Burlington.

¹² Bill in Chancery, p. 124.

¹³ The Assembly of New York began also at this time (1695) to think of better regulating their schools and schoolmasters, although two years subsequent to the first action of East Jersey Assembly, which was in 1693.

cordial co-operation between the various parties in the province.¹⁴

These dissensions were not by any means at an end, and already, instead of longer being likened to paradise partly from the absence of lawyers,¹⁵ so great was the demand for the services of gentlemen of that profession in the province, that an act was found to be necessary in 1694, preventing justices of the peace, sheriffs, and other officers of courts from acting as attorneys, excepting when personally interested in the matters at issue.¹⁶

In 1695, the first judicial decision respecting Indian titles was obtained, the court giving judgment in favor of the party claiming under the proprietary grants; but the advantages that would have arisen from a definite settlement of this long controverted question were not realized, in consequence of a reversal of this decision by the king in council, through some informality in the proceedings, leaving the matter still the same exciting cause of contention.¹⁷

The great desire felt by the proprietaries to secure the favor of the crown by conforming themselves in all things possible to its will, has been already noticed; and now, all the benefits that were in prospect for the pro-

¹⁴ Other purposes of acts passed during this period were—the regulation of marriages, requiring the publication of bans—to enable counties to defray their expenses by levying taxes—to prevent the use of arms, &c., by slaves—to punish culprit negroes—to *oblige* constables to serve when chosen to that office—to enable the governor to license ordinary keepers—to raise money for the public charges, &c. See Grants and Concessions.

¹⁵ See page 51.

¹⁶ These may be considered the precursors of those days when, it was said, “No man grew rich here so fast as the gentlemen of the-bar.” In 1676 an act was passed prohibiting justices of the peace from acting as attorneys, “it being not convenient, the province being in its minority,” but the next year they were allowed to appear “in case of foreign negotiations.”

¹⁷ Bill in Chancery, p. 122. Douglas' Summary, II. p. 278.

vince, flowing from the judicious administration of Governor Hamilton, were sacrificed in order to carry out the *presumed* requirements of an act of parliament passed in 1697, "for preventing frauds and regulating abuses in the plantation trade;" which required that all proprietors of colonies should present their respective governors to the king for his approval, and that no other than a natural born subject of England could serve in any public post of trust or profit.¹⁸

Governor Hamilton being a native of Scotland, was considered by the proprietaries in England to be among those excluded from office by this act, and they, therefore, notified the provincial council under date of October 12th, 1697, that they had been obliged, much against their inclination, to dismiss him from the government, and had appointed Jeremiah Basse as his successor, the approbation of the king having been obtained thereto.¹⁹ Basse did not arrive in the province until the spring of 1698. His commission was presented to the council on the 7th April, on the following day it was publicly proclaimed, and shortly afterward Hamilton sailed for England.²⁰

The new governor commenced his administration by publishing along with his commission a proclamation of unexceptionable character, inculcating obedience to the laws, mutual good will, attention to the duties of religion, and the abandonment of all vice and immorality,²¹ and on the 6th May appointed for his council the same

¹⁸ Bill in Chancery, p. 124.

¹⁹ East Jersey Records. C. Laws, p. 273. His Commission was dated July 15th, 1697, for one year, and signed by ten proprietaries. This year 1697, Cranbury was settled by "Josiah

Prickett Butcher of Burlington." In March, 1698, he sold out to John Harrison, of Flushing, Long Island.

²⁰ Bill in Chancery, pp. 33, 124.

²¹ See Note U.

gentlemen, excepting three, who had composed that of his predecessor.²² But however favorable may have been the auspices under which he assumed the government, circumstances soon occurred to change their character.

Basse had not held in the province, where he was already known, a station calculated to ensure him the favor of the people, and his elevation to power led him to assume a deportment which rather lessened than otherwise the little respect his promotion might have secured to him.²³ And to add to the dissatisfaction, it was discovered that he had not obtained the king's approbation, as had been alleged, nor had a sufficient number of proprietaries signed his commission, only ten names having been obtained, instead of the requisite number of sixteen.²⁴ Many of the proprietaries, therefore, residing in the province, would no longer acknowledge him as their legally constituted governor, and with numbers of the inhabitants refused obedience to him

²² Captain Thomas Codrington of *Somerset*, Thomas Warne of *Middletown*, and William Pinborne of *Bergen*, being substituted for Messrs. Kingsland, Dundas and Morris. It would appear from the document given in a note to page 100 of this volume, that Mr. Morris questioned the authority of the Court of Common Right, under the government of Basse—prompted thereto perhaps by his dismissal from the Council—which led to his being fined and committed. He probably thus early brought forward the arguments against the authority of the new governor, that subsequently were generally adopted.

²³ Lord Bellamont's Letter, Dec. 14th, 1698. New York Colonial Papers.

²⁴ Bill in Chancery, pp. 45, 124, app.

³³ Smith's N. J. p. 565. The objections made to Basse on account of his not having the king's approval to his appointment, probably grew out of the dislike to the man rather than the regard felt for the violated law. The lords of trade were not, at that time, disposed to countenance openly the appointment of any governor by the proprietaries, as they began to question their right of government; but the appointment of Basse was known to them, and the exercise of authority by him, tacitly assented to, inasmuch as instructions on certain topics had been given him both by the lords justices and commissioners of the treasury, which Basse produced as evidence that the consent of the government had been obtained.

and his officers, asserting that Hamilton, not having been properly superseded, was still governor, and that through his absence the chief authority had devolved upon the council.

Thus delicately placed, the governor hesitated to call the Assembly together, fearful, should the majority prove adverse to him, that his authority might be more generally denied; and it was not until the beginning of 1699, that he overcame his doubts and convened the representatives of the people.

Disowned as he was by a portion of the proprietaries, it is not surprising that Basse should have sought to strengthen himself from the ranks of the opponents of that body, and his weakness became, by consequence, the source of increased force and efficiency to their opposition. The governor, once dependent upon them, was soon their prey, and concessions of the most vital importance to the continuance of the proprietaries' government were obtained from their own officer. The proprietaries in England, under date of 14th April, 1698, authorized him "to grant the privilege" of an Assembly annually, and the nomination by the people of their own justices, coroners, and officers of militia, provided they would buy at least one-half the value of the quit-rents in ready money, and the Assembly pass an act for the permanent support of the government. But, when the representatives met in February,²⁵ in obedience to the mandate of the governor, without doing aught that was prescribed, an act was passed, which Basse approved of, prohibiting the election as deputy or representative of any person either proxy or agent for any proprietor;

²⁵ They were directed to convene on the 21st, "by eight of the clock in the forenoon." E. J. Records.

and another, declaring at length the rights and privileges of the inhabitants of the province, differing in many respects from the established laws.²⁶ So that through the error of the proprietaries in England in selecting such an officer, and his own incapacity or want of integrity, their interests in East Jersey were in a far more critical position than for some years previous. The only matter in which the governor and assembly appear to have acted in concert with the views of the proprietaries, was the opposition shown to the unjust and harassing proceedings of New York in relation to the trade of the province, and in that the governor felt a personal interest.

In 1694, in the hope to improve the foreign commerce of the province, the General Assembly authorized the establishment of a custom-house at Perth Amboy, and required all vessels coming to East Jersey there first to enter. An act was also passed prohibiting the exportation of pipe-staves, shingles and plank, excepting to "places beyond the sea," which, however doubtful may seem the measure to us as warranting any assurance of benefit to East Jersey, was regarded by the authorities of New York as deeply prejudicial to that province. In allusion to it Governor Fletcher wrote: "They are now making war upon us in point of trade, they will draw the shipping thither and establish a free port, to the great prejudice of this place, and sink the trade of it; they pay no duty to the king, and all will flock to it."²⁷

Owing either to the fact that but little advantage accrued to the one province, or detriment to the other, from the measures adopted, or to the friendly relations

²⁶ Grants and Concessions, pp. 220, 368. See Note V.

²⁷ Under date November 19th, 1694, New York Colonial Papers.

which existed between their respective governors; no steps were taken by Governor Fletcher to resist this re-assertion of the independence of East Jersey in commercial matters, other than the reiteration in almost every despatch of his hope and desire that both the eastern and western provinces might be re-annexed to New York. This was a favorite theme with all the royal governors of that province,²⁸ and it is not therefore surprising—in conjunction with the reluctance of William to surrender any of the acquisitions of authority or prerogative which his predecessors had usurped, plainly evinced in his dealings with other provinces—that the subject being so frequently brought to the notice of the crown, should have led to the adoption of means calculated to attain the end in view.

Nothing could have been plainer than the decision given by Sir William Jones in 1680 as to the rights of East Jersey, but to confirm them, if possible, against the renewed attempts on their subversion, which were foreseen, the proprietaries in June, 1697, obtained another opinion from eminent counsel adverse to the imposition of any customs otherwise than by act of Parliament and their own Assembly.²⁹ But, whatever effect this may

²⁸ Governor Fletcher, when commissioned in 1692, had Pennsylvania placed within his government, William Penn having been deprived of his proprietary functions; and his instructions were calculated to bring Connecticut also under his control: and in November of that year, a strong hope was expressed by one of the New York Assembly that the Jerseys and New Castle would also be annexed, which hope he said was their "strongest support." Grahame's U. S. See Minutes New York Assembly.

²⁹ The names of these lawyers were Sir John Hawles and Sir Crosswell Levins. (Chalmers, p. 626, quoting Prop. Records, A. p. 158.) Chalmers, followed by Grahame, says these duties were imposed by the Assembly of New York; but there is nothing either in the minutes of that body, or in the laws of the province subsequent to 1691, which indicates such an origin. The acts complained of by New Jersey were probably the promptings of the king's arbitrary officers alone. Grahame also (apparent-

have had favorable to the interests of East Jersey, the proceedings of Lord Bellamont, successor to Governor Fletcher in the province of New York, effectually dissipated. By his instructions, dated August 21st, 1697, he was directed to prevent the trade between the Indians and the inhabitants of East Jersey, on what grounds is not stated, and probably none existed save the enhancement of the New York revenues, and thereafter Lord Bellamont appears to have set himself studiously to work to obstruct also the foreign trade of the province. He informed the Board of Trade under date of May 8th, 1698, that he had even forbidden the printing of proclamations in New York, which Governor Basse was anxious to distribute, making known the establishment of the ports of Perth Amboy and Burlington.

A few days thereafter he received a despatch dated the 23d February preceding, which had been by some means delayed in the transmission, conveying to him, as the result of the persevering efforts of himself and predecessors, an order from the crown denying the right of

ly quoting Chalmers) calls Hawles and Levins "crown lawyers," and states that the subject was referred to them by the government, and that their decision produced an abandonment of the pretensions of New York. (II. p. 298, Edit. 1837.) Chalmers does not say the question was submitted by the government, but that the *proprietaries*, on application for the advice of these lawyers, obtained the opinion. It assuredly did not cause the aggressors to abandon their pretensions, for we find them eighteen months afterward still exercising their unjust authority to the prejudice of East Jersey. The edition of Mr. Grahame's valuable work which is quoted in this volume, is

that of 1837; but as these sheets are passing through the press, a forthcoming American edition is announced with the author's last corrections, and it is probable, as his attention had been drawn to some minor errors in his highly interesting epitome of New Jersey history, that the references made to his volumes may not in all cases correspond with this new edition. The services of the gentlemen, who have been instrumental in procuring the republication of the work, cannot be otherwise than highly appreciated by every admirer of chasteness of style, perspicuity of arrangement, and fidelity of narration.

the proprietaries of both East and West Jersey to the privilege of ports; and requiring him to "take care that the rights and privileges of the province of New York be not infringed:" and a proclamation was issued accordingly.

These proceedings were resisted by Governor Basse, with much more spirit than he had manifested in upholding the interests of the proprietaries against the encroachments of the disaffected in the province. He issued a proclamation counter to that of Lord Bellamout, and by letter and in person advocated their cause, and persisted in claiming and exercising the privilege decreed for Perth Amboy.³¹ This energetic conduct might have relieved his administration from some of the imputations which must rest upon it, did it not appear, as has been remarked, that he had a personal interest in the matter.

A vessel had arrived at Perth Amboy in March, of which he was part owner, and she was now lying there, either waiting for a cargo or the settlement of the vexed question of the ports. As the latter result had not been attained as late as November, Basse carried his threat of open resistance into force, a cargo was put on board the vessel and preparations made for her departure. His plans however were frustrated. The governor of New York when the ship was about to sail, sent down an armed force of forty men, seized and brought her to the city, and as Basse refused to receive her back

³⁰ N. Y. Colonial Papers, Feb. 23d, May 8th, May 25th, May 27th, 1698.

³¹ N. Y. Colonial Papers, June 30th, July 1st, Sept. 21st, 1698. Basse had one important fact in his favor. Either through oversight or misunderstanding,

the commissioners of the revenue had recognized Perth Amboy as a port, and appointed a collector who entered upon the discharge of his duties in April, 1698.

on condition of his having her cleared at New York, she was tried and condemned in the Court of Admiralty.³²

It was under these circumstances that the Assembly of East Jersey, at the session of February 1699, passed an act to raise the sum of six hundred and seventy-five pounds to defray the expense of remonstrating against injuries already sustained, and to prevent their infliction for the future, which, however, was probably never enforced.³³ In 1701, the matter was brought be-

³² N. Y. Col. Papers, Dec. 14th, 1698, Feb. 23d, 1700. E. J. Records. The ship was called the Hester, she was of 120 tons burthen, and her lading consisted of 28,000 barrel staves. Basse in 1700 appealed for redress to parliament. It appears from the N. Y. papers that another vessel had been previously dealt with, by Lord Bellamont, in the same way.

³³ Grants and Concessions, p. 376. An interesting manuscript in the possession of the New Jersey Historical Society throws considerable light on the state of public opinion at this time. The sum when collected was to be paid into the hands of Andrew Bowne and others, staunch adherents of Basse. The Newark deputies had opposed the act, and in town meeting April 11th, 1699, received the thanks of the town therefor. [Newark Records, p. 128.] The document referred to reads as follows:

“To ye Townes of Perth Amboy, Elizabethtowne, Woodbridge, Freehold, Bergen, Shrewsbury, Middletown, Piscataqua, Aquechenonck, &c.

Gentlemen:

The meetings of our towne have considered an Act entituled an act for redressing a force of our Neighbour Province: and we find yt ye money Ordered to be raisd by that act

is put into such hands as we have no reason to truste nor are we any waies secured yt ye money will be applyed for ye country's good; but have great reason to believe ye contrary which has made us resolve not to pay it, but to resist all force that shall be usd for ye gathering of it and because the taking away of ye ship Hester has been made the only pretense for raising ye money mentioned in that act we have thought fit to let ye Proprietors know yt the country was ready enough to have defended her and that we are owing only to ye towardness of ye Govern'r for her Loss and we have also thought fit to Aquaint ym how he has Invaded our rights and priveledges.

These be things friends and neighbours we thought fit to write unto you Hoping youl Joyne with us in Hindering the execution of so unreasonable an act and to remonstrate our Grievances.

We are your friends:

Signed by order of ye Towne of New-
arke Aprill ye 21: 1699:

Nathaniel Ward, Clark

Signed by Order of Eliza: Towne Aprill
ye 21st 1699

Saml. Whitehead, Clerk

Signed By order of Perth Amboy Aprill
25th 1699.

John Barclay Clerk.

fore the Court of King's Bench, and the rights of East Jersey fully established, but in the mean while, all the benefits that might have accrued to the province from the possession of a port were lost.³⁴

Governor Basse objected to the exercise of jurisdiction within his government by the Court of Admiralty established in New York, prior to the seizure of his vessel, by resisting a requisition made upon him for two seamen, presumed to have belonged to a piratical vessel, who had been captured in East Jersey; but subsequent reflection led him to obey the mandate when reiterated, being satisfied of his duty so to do, or of the want of jurisdiction in the provincial courts.³⁵

³⁴ Smith's N. J., p. 571.

³⁵ New York Col. Papers, July 1, 1698. In 1699, fourteen men were landed at Cape May who had been on piratical voyages in the East Indies, six of whom were taken, and as there was no law authorizing their punishment in West Jersey, application was made to the government for their removal to England for trial. [N. Y. Papers, Aug. 10, 1699.] During Basse's administration several pirates made their appearance on the coast, causing considerable apprehension. Among others, the famous William Kidd, after having been employed by the government to suppress these bucaners, from the knowledge he possessed of their numbers, strength, and places of resort, returned in 1699 from the East Indies, whither he had sailed after making several unsuccessful cruises on the American coast,—during his absence having been engaged in the very practices he had engaged to prevent. This result appears to have been in a measure foreseen by the provincials. Governor Fletcher, writing to the Board

of Trade, June 22, 1697, says: "One Captain Kidd lately arrived here and produced a commission under the great seal of England for suppressing of piracy. When he was here many flocked to him from all parts, men of desperate fortunes and necessitous, in expectation of getting vast treasures." [By a note on page 136 it will be seen that the Jerseys contributed to this force.] "He sailed from hence with 150 men as I am informed: a great part of them are of this province. It is generally believed here they would have money *per fas et nefas*, that if he *miss of the design intended for which he has commission 'twill not be in Kidd's power to govern such a horde of men under no pay.*" (N. Y. Papers.) Kidd, in May, 1691, received 150 pounds from the New York Assembly for his services "in attending with his vessels before his excellency's [Gov. Slaughter's] arrival" and the next month he was in Boston beating up recruits for an expedition against a French privateer then off the coast, under the patronage of the Assembly of Massachusetts.

The refusal to recognize Basse as the rightful governor of the province, did not rest as merely a matter of opinion or for speculation in the minds of those by whom his authority was disavowed; but as his power increased by combinations with the opponents of the proprietaries, it was not only proclaimed in word, but deeds consistent therewith followed. His government being openly defied, the offenders were imprisoned; the jails where they were confined were broken into by force of arms, and they liberated; officers while discharging their duties were abused and maltreated; and perfect anarchy and confusion at last prevailed.³⁶ Although probably in the ascendant, yet Basse found his situation so disagreeable that he at last abandoned it and sailed for England in May or June 1699, leaving Andrew Bowne of the council—who had always been identified with the opponents of the proprietaries—deputy-governor during his absence;³⁷ a legacy not at all calculated to heal the wounds his administration had inflicted upon both the rights of the proprietaries and the welfare of the province, although his departure certainly removed one great obstacle to the re-establishment of peace and order.

Bowne, as president of the council, being in the absence of the governor the proper personage to succeed him, his authority does not appear to have been questioned, however little respected he may have been per-

—Mass. Hist. Coll. 3d Series, Vol. 1. His subsequent career is too well known to require comment here. On his appearance in 1699, the authorities of East Jersey issued a proclamation, directing his capture and the detention of his vessel—E. J. Records C, Laws p. 294—and in the same year he was made prisoner

in Boston, sent to England, and there executed in 1701.

³⁶ Bill in Chancery, pp. 45, 124, App. 33.

³⁷ E. J. Records. Bowne was commissioned on the 20th, and was in the execution of his duties on the 30th May.

sonally, and the tumults in the province were to some extent quieted. Still the condition of affairs from the ill feelings that had been produced within, and the obstructions to their prosperity without the province, was far from presenting the favorable aspect which the administration of Governor Hamilton had generated, although less than two years had elapsed. It was under these circumstances that he was restored to the province, having been reappointed for one year, on the arrival of Basse in England; entering upon the discharge of his duties towards the close of 1699.³⁸

The proprietaries in England, having ascertained that the king's attorney and the solicitor-general were of opinion that a native of Scotland did not come under the prohibitions of the act of parliament which has been referred to,³⁹ were induced to reappoint Governor Hamilton, in the hope that, as he had previously ruled the province to the general satisfaction of the inhabitants, his return would be the most effectual remedy for the prevailing disorder.⁴⁰ On presenting his name to the lords of trade for the required confirmation of his powers, the proprietaries found that a trial in the courts of law, of their right to govern their province, had been resolved on, and consequently no approval of any one as

³⁸ He was commissioned Aug. 19, 1699. E. J. Records, C, p. 311.

³⁹ See page 138. Their opinion was not publicly made known and the question legally decided until May, 1700, when it came up at Hampton Court, before the king and council, on a petition from an officer in Barbadoes who had been dispossessed of his office on the same grounds. Thomas Trevor and Joseph Hawles, the former his majesty's attorney and the latter solicitor-general,

reported that the act did not prevent the exercise of official duties by Scots, they being native born subjects of England in the meaning of the act. E. J. Records, Vol. IV. C, Laws p. 331.

⁴⁰ Smith's N. J., p. 565. Bill in Chancery, p. 124. Grahame, in citing the precedents of Governor Barclay and Lord Neill Campbell, did not notice the fact that the act, to which the proprietaries were anxious to conform, was not passed till 1697.

their governor would be granted ; but inasmuch as the preservation of peace and the prosperity of the people forbade the abandonment of all government while the question was being determined, an opinion was expressed that they would incur no danger by commissioning Hamilton, and that he would be safe in performing his duties as governor, so long as he acted in accordance with the laws of England.⁴¹

These circumstances were made known by Governor Hamilton on proclaiming his commission, and his authority was generally submitted to ; but the want of the king's express approbation, which in Basse's case had been overlooked by his adherents, on the ground that it was a matter lying between the proprietaries and the crown, was now, by the same party, made an insuperable obstacle to obedience. At least such was the avowed cause of their objections, but the true one lay rather in the deep-rooted aversion to the proprietary government, in whatever form presented or by whomsoever exercised, unless by some one in their interests. A belief was fostered that its destruction would be a preliminary step to the abolition of all obligations to the proprietaries as owners of the soil and quit-rents ; which, however erroneous, served to unite the disaffected much more closely than any other bond

⁴¹ Smith's N. J., p. 566. Grants and Concessions, pp. 592, 593. From a paper in Smith, p. 569, it appears that the ground to be taken on the trial was, that a grant of power such as that to the Duke of York, was "unalienable from the person to whom it was granted, not to be assigned by him to any other, much less divided, sub-divided and conveyed from one to another, as had been

done in the present case." The New York papers furnish a letter from the Board of Trade to Lord Bellamont, (see Note W.,) showing that the determination to try the right of government sprung out of the dislike felt to abandon the ground taken respecting the ports, and with the view probably of forcing the proprietaries into concessions.

of union could possibly have done, not so immediately affecting their pecuniary interests.⁴²

The governor convened an assembly the ensuing May, but the majority being adverse to the proprietary interests and his own authority, he deemed it prudent, as the members neglected through debate among themselves to elect a speaker on the first day of the session, to profit by some technicality thereby offered, to dissolve it the day after.⁴³ It was on this occasion that the validity of his commission was for the first time openly called in question, but tumultuous and seditious meetings were subsequently held, the justices appointed by him were assaulted, while sitting in open court, by bodies of armed men, the sheriffs were attacked and wounded when in the discharge of their duties, and every exertion made to seduce those peaceably disposed from their allegiance to the government: so that this period became known in after years as "the Revolution."⁴⁴

Governor Hamilton on the 15th August issued his proclamation⁴⁵ denouncing these illegal proceedings, and was enabled to keep up a nominal authority in the province, although the opposition of even some of the board of proprietors⁴⁶ was brought to bear against him; for, as if to unite the factious among the inhabitants still closer in their disorganizing schemes by giving them a leader, they had selected and commissioned as governor Andrew Bowne, who, although a member of the council, was an advocate of the claims founded on the Indian

⁴² Bill in Chancery, p. 124.

⁴³ See Note X, for a letter from Hamilton referring to these proceedings.

⁴⁴ Bill in Chancery, p. 45, App. 33.

⁴⁵ E. J. Records, C, Laws p. 328.

⁴⁶ "Misled by false representations

of Richard Salter (a factious and seditious person) obtruded upon them by William Dockwra"—say several of the proprietaries, subsequently, in a protest to the governor and assembly.

titles. His title to obedience, however, was soon annulled, for on presenting his credentials to the council on 17th June, 1700, the number of signers proved so greatly deficient that his claims were at once disallowed.⁴⁷

A crisis had evidently arrived in the affairs of the province which the proprietaries were not prepared to encounter successfully. As a body they had become so numerous, so scattered, and so divided in interests, that unanimity in council could hardly be expected; and yet, the inhabitants were pursuing such a system of measures, as required the utmost wisdom to project, with equal firmness and union to administer, such remedies as could alone lead to the re-establishment of peace and regularity:—without these necessary qualities to control their opponents but one result could be anticipated. The truth became manifest that their private emoluments were curtailed, even their title to the soil endangered⁴⁸ by the deranged state of the province, and the threatened procedure to test their right to its government gave little promise of repose for some years.

Petitions flowed in upon the lords of trade and plantations, so diverse in their nature and contradictory in their statements, as well betrayed the disorder and misrule that prevailed.⁴⁹ Many of the proprietaries were anxious that the express approbation of the king should be given to the appointment of Governor Hamilton until

⁴⁷ E. J. Records, C, p. 334. There were only four and a half proprietaries represented instead of sixteen.

⁴⁸ Some of the opponents of the proprietaries, profiting by the confusion that prevailed in their councils, made large purchases from the Indians, and took

possession of quantities of vacant lands which in many instances they succeeded in retaining. Bill in Chancery, p. 46, and App. p. 5, &c.

⁴⁹ See Appendix to Smith's New Jersey, and Appendix to Bill in Chancery, for some of these petitions.

their right to the government was determined, or the terms for its relinquishment agreed upon, conceiving that such a course would at once quiet the province; others, however, were opposed to Governor Hamilton, as has been seen, and in favor of the surrender to the crown unconditionally; while a third party, comprising the claimants under Indian titles and the Nicholls grant, were more desirous to subvert the authority of the proprietaries than anxious as to the government that might succeed. Factions were so prevalent and so strong—the favor of the king so little to be expected—and the proprietaries so wavering and feeble, that they were obliged to yield to the force of circumstances;—the powers of government were surrendered to the crown of England.

The negotiations which preceded this event extended from the month of July, 1699, to April 15th, 1702, when the surrender was perfected,⁵⁰ and on the 17th of the

⁵⁰ See Smith's N. J., pp. 211 to 220, for both instruments at length. The proprietaries who signed away the sovereignty of East Jersey were Peter Sonmans, Joseph Ormston, Charles Ormston, Edward Antill, George Willocks, Francis Hancock, Sir Thomas Lane, Paul Dominique, Robert Mitchell, Joseph Brooksbank, Edw'd. Richier, Michael Watts, *Clement Plumstead*, Robert Burnet, Miles Forster, John Johnstone, Michael Hawdon, John Barclay, David Lyell, Thomas Warne, Thomas Gordon, *Thomas Barker*, *Thomas Cooper*, Gilbert Mollison, Richard Hasel and William Dockwra. Only three of these names, those in italics, were of the twenty-four, who nineteen years previous had received the grant from the Duke of York. And it was said in 1759, that sixty-four

years after the grant to the twenty-four (1746) there was not a male lineal descendant of the whole number (excepting the rights of the Penns, and two or three small plantations occupied by the Hartshornes and Warnes) enjoying "a foot of land in East Jersey"—a reflection which should "abate our ardor in the pursuit of lands and wealth, and make us think ourselves, at best, but tenants in common to the blessings which the earth produces, and co-heirs of the gifts of nature." "*A Pocket Commentary of the first settling of New Jersey by the Europeans: and an account or fair detail of the original Indian E. J. Grants, and other rights of the like tenor in East New Jersey. Digested in order. New York, printed by Samuel Parker, 1759.*" This little work, con-

same month it was accepted by her majesty Queen Anne, who had ascended the throne on the death of William, the preceding month.⁵¹ The proprietaries at different times had presented specific provisions, respecting their title to the soil, the privileges of the inhabitants, and the important matter of the ports, which they wished to have incorporated in the act of surrender; but the adjudication of the case of Governor Basse against Lord Bellamont for the seizure of his vessel,⁵² having satisfactorily settled the rights of the province as regards the last named particular, the others were finally waived and the surrender executed absolutely, and unrestricted by any provisions; with an understanding, however, that all their legal rights as owners of the lands and quit-rents should be respected. Indeed the wishes of those interested appear to have been consulted on almost every point; and it was considered that the privileges of the people, as confirmed to them by the concessions, fundamental constitutions, and laws of the proprietaries, were to remain unimpaired, and the government of the province to continue to be exercised in conformity therewith.⁵³

West Jersey had enjoyed a much greater share of tranquillity, if not prosperity, than the eastern province; but nevertheless, there too the people were too little in

taining many interesting, though trivial, remarks respecting men and things in New Jersey, is in the Philadelphia Library—the only copy ever seen or heard of by the writer.

⁵¹ Gordon, p. 55, again mistaking old style for new, as William died in March, 1701, conceives that he died *early* in that year, and that, therefore, *a year* elapsed after his death before the con-

summation of the surrender. And yet he quotes from a page of Smith, containing an address to the king dated January, 1701–2, which should have made him aware that William died in what we would call March, 1702.

⁵² See page 145.

⁵³ Smith's N. J., pp. 262, 265, 560, 566, &c. Grants and Concessions, p. 609, &c.

favor of the government established over them to render its due administration practicable with safety to the seigniorial rights of the proprietaries ; and as their authority was also to be contested with that of their neighbors of East Jersey, they, anxious to be free from actual and anticipated evils, participated in the surrender.⁵⁴

After the execution of the Quintipartite deed in 1676, the province had its distinct government and officers ; but in 1692, when Andrew Hamilton received the appointment of governor from the eastern proprietaries, West Jersey was also confided to his care, and he continued nominally its governor, until the surrender, (residing part of his time at Burlington,) excepting while absent in England during the administration of Basse. With the exception of the question of boundaries,⁵⁵ there does not appear to have been any transaction in which the two provinces participated during this period, or any negotiations or correspondence relating to matters of public interest.

On the acceptance by the crown of the powers of government tendered by the proprietaries, the two provinces were united and placed, together with New York, under one governor, possessing, however, a council and assembly distinct from that province. It is probable the proprietaries would have been permitted to nomi-

⁵⁴ Byllinge would not allow that on the transfer of the province to his assignees, he had parted with his right of government, and until 1683 a deputy-governor under him was recognized in the province. In that year a governor was elected by the people, but subsequently the pretensions of Byllinge were again acknowledged, and a deputy from him received ; but on his death in 1687,

Daniel Coxe, a large proprietary, purchased the interest of his heirs in the soil and government, and administered the latter by deputy till 1690. In the following year he disposed of his interest to a company styled the West Jersey Society, who were the parties by whom the surrender was made.

⁵⁵ See page 67, *note*.

nate the first governor could they have agreed among themselves upon a suitable person ; but failing in this, the office was conferred upon the queen's kinsman, Edward Hyde, Lord Viscount Cornbury—grandson of the Chancellor Earl of Clarendon—who had been proposed by King William before his death, on account of his services rendered in the enterprise which gave him possession of the throne of England.⁵⁶ His commission and instructions having been submitted, and approved by the proprietaries, were issued immediately after the surrender of the government was completed ; and on 3rd May, 1703, Cornbury arrived at New York.

ANDREW HAMILTON.

The encomiums passed upon the integrity and abilities of Governor Hamilton, by the proprietaries, have already been noticed, and from what is there shown of his administration, we may believe their confidence to have been well bestowed. His qualities, as a man, appear to have made him more esteemed in the province than any of his predecessors, but we are debarred the satisfaction of regarding him in the private walks of life, in consequence of the few materials furnished by the existing records of his time.

When recommended to Lord Neill Campbell by the proprietaries, for the services he had rendered during his previous visit to the province, he was authorized to receive forty pounds sterling, or a grant for five hundred acres of land, whichever he might elect, in consideration of the "charges and paines" he had incurred.⁵⁷ It is also stated that he was about "transferring his family towards the improvement of his plantation," but whether we are to include a wife among the number is uncer-

⁵⁶ Smith's N. J., 220. Hist. William III., Lond 1702. Cornbury was among the first officers who deserted to his stan-

dard on his landing at Torbay, taking his regiment with him.

⁵⁷ E. J. Records, B, 25.

tain, for after he had been some time in the province, he married Ann, the widow of Robert Wharton, of New York, and daughter of the former Deputy-Governor Rudyard. He may have married again, subsequently, for in his will his widow and legatee is called Agnes.

He died in Philadelphia, January, 1709, then holding the office of Deputy-Governor of Pennsylvania,⁵⁸ to which he had been appointed on 1st November, 1701. His being selected by William Penn as his representative is an additional proof of his worth.

No connection has been traced between Governor Hamilton and Andrew Hamilton, the eminent lawyer of Philadelphia, who died in 1741, but it is probable some relationship existed. The governor left one son, John, who subsequently held several offices in New Jersey, under the Royal Provincial government, and has the credit of devising the scheme for the establishment of post offices in the colonies. He obtained a patent for it about 1694, and afterwards sold his right to the crown.

JEREMIAH BASSE.

How long Mr. Basse had been absent from the province when appointed governor by the proprietaries in England, does not appear; but the ease with which the unquiet, designing spirits among which he was thrown made him their pliant servant, would incline us to believe that he was not prepared, by the information he had received of the state of the province, for the excitement and contentions which at that time existed. As it has been shown, however, that where his pecuniary interests coincided with those of the proprietaries, he exhibited a good degree of firmness in the discharge of his duties, he may have been in 1699, what the landholders' party style him in 1710, their "great debtor,"⁵⁹ and consequently disposed to identify himself with their opponents.

Unfavorable as is the impression made by his administration of the affairs of East Jersey, it is rather increased than lessened by his subsequent career. He did not return to the province until the government had passed into the possession of the Crown. He then came over as secretary under Lord Cornbury, and if a man's associates are ever to be allowed to influence an opinion of his character, there is some palliation in permitting such a connection to bear unfavorably upon Mr. Basse. We find, too, that he shared in the obloquy of his lordship's administra-

⁵⁸ Proud's Pennsylvania, I. p. 454.

⁵⁹ Smith's N. J.

tion, and subsequent kindred proceedings; the House of Assembly in 1710, openly accusing him to Governor Hunter of malversation in his offices of Clerk of Council, Secretary of the Province, and Prothonotary of the Supreme Court,—of a disregard of truth,—of allowing himself to be made the tool of a faction:—and expressly name him as one of those whose continuance in offices of trust must ever endanger the liberties and property of those interested in the province.⁶⁰ Every possible allowance should be made for the warmth of political opponents, but there is nothing to be found conflicting with the general truth of the Assembly's representation, while circumstances of a confirmatory character are not wanting. In 1716, Mr. Basse was elected a representative from Cape May, having become a resident of that county; and in 1719, he was Attorney General of the Province, a distinction which would indicate the possession of greater popularity.

He died in 1725, and the following extracts from his will are given, as containing expressions which, if sincere, may deliver his memory from undue censure: while at the same time they are curious and interesting, exhibiting the general character of the most systematic wills of that day, and embodying information referring to St. Mary's Church at Burlington.

“In The Name of God Amen.”

“I Jeremiah Bass of Burlington, in Province of New Jersey, Being att This time By the Good Providence of God, of Sound Mind and Memory, (Blessed Be His Name for the Same,) Considering seriously the uncertainty of This Transatory Life, and Those many accidents that May disable me from settling That Estate that God in His mercy Hath invested me with, and being sensible In the time of Sickness, and on a Death Bed, the Most Prepared person will Have Enough To Doe To Contemplate the Estate He is Entring into in which His portion of Joy and Sorrow must Certainly Be adjudged To Him without any Alteration To all Eternity.”

“I doe therefore Make and declare this To Be My Last will and Testament, Revoking and Disannulling all other or former wills By Me Mad and declared.”

“Imprimis I Comitt my Soul To God That Gave it and my Body To Be desantly enterred without any pomp, and I do Earnstly desire that Great Care may Be Taken to prevent all Manner of Rudeness that May Be occasioned By To Much Strong Lickquor and If There Be any Minister of Episcopal ordination Residing In Town, or Esie To Be Had Let a funerall Sermond Be preached from ye 19th of Job 25: 26 and 27th verses; and The psalms To be Sung, part of the 103 from verse ye 10th To the End, and the 90th psalm after The new Translation.—Thus my Desire Is To Be Buried according To The Rites and Serimoneys of The Best of Churches, the Church of England, of which [I call myself] an unworthy Member and In which Communion I desire [I may die.] My

⁶⁰ Smith's N. J., pp. 395, 398.

Life May not In all Things and att all times Been Corispondant to The Rules of So good and holy a Religion, yet I trust my Sins shall Be Bloted out and My pardon sealed through The alone Merits and meditation of my Blesd Lord and Savor Jesus Christ, who as Second person In The Holy and In the undivided Trinity, In the Beginning Mad the world and all These Glorious Orbs of Light that Bespangle the firmament who in ye fullness of time after as The Divine Logos he had In a More pecular Maner Governed the Jewish Church Took our nature upon him, and was Born of the Virgin Mary, and Being Crucified By pontius pilate He raised Himself up from the Grave By His own power, and on His assention into heaven Established for himself a Kingdom In this world which is His Church altogether independent on The Civill Magistrate In Matters purely Spirituall, and appointed His Apostles and Ther Successors the Bishops Prests and Deacons as His officers and Ministers of That Kingdom which He will Sopport and Maintain against all Oppositions till the End of The world and finall Judgment and that this Truth may Be more promulgated and taught My will and Desire is that forty shillings sterling per annum [be paid to] some honest and worthy Minister of Episcopal ordination more Peticularly the Rector of the Church of St. Mary's in Burlington for the time Being or if ther should Be a vacancy there, and that Church Be suplied then to the Ministers of Christ Church in Philadelphia, and ther successors for the preaching two sermons annually, the one on Easter Sunday and the other on Whitsunday for the Mentaining and illustration of this great truth and for due and punctuall payment of this Legacy I charge all My Real Estate in the town of Burlington."

He then proceeds with the division of his property, leaving his wife Elizabeth executrix during her widowhood, to act with the advice and consent of his son-in-law, Robert Talbot, and Andrew Hamilton, of Philadelphia: but should she marry again, his daughters, Katherine Talbot and Ann Bass, and his son Burchfield, were to be Joint executors in her place. He willed that should his children all die without heirs before a full and entire division of the estate took place, such part as might be remaining was then to be given to the,—

"Minister, Churchwardens and vestory of the Church of Saint Mary's in Burlington and To Ther Successors for and towards the augmentation of ye Living of the Said Church and The encouragement of Catechising Every Wensday and Friday in Lent."

Item my Desire Is that if it can well Be avoided my Library Be not Sold But Be preserved for the yoose of My Son Burchfield if He Incline to Learning and aplic Himself To the Study and pursue either of Divinity Law or phisig. But in Case His Inclination do not Lead Him To any of These Study's To Be divided amongs My Children unless my Son Talbot Shall Incline to account att a just vallue in Law of so Much of any other part of My Estate always provided that My Wife

and Daughter Ann Have the prevelidge of chosing what they Like out ofthe Books of Divinity or History or Morality on the same terms."⁶¹

This will was dated January 1724, and was proved before the Surrogate on 9th August 1725.

Whether any of the descendants of Governor Basse are yet living in the state is not known.

MISCELLANEOUS TOPICS.

Having brought the narrative down to the transfer of the government to the Crown, it may be of service, in forming a just conception of the actual state of the province at this time, as well as of the manner in which the proprietaries discharged their duties as chiefs of the commonwealth. to notice several miscellaneous topics connected directly or indirectly with its advancement in the various concomitants of civilization.

Some statements have already been made respecting the increase of population up to the year 1692,⁶² and it is to be regretted that no definite data exist on which to base any satisfactory estimates for the ensuing ten years. It is probable, however, that, from the uncertain tenure of lands, and the distracted condition of the government during that period, there was little immigration into East Jersey. We are enabled to form some conclusion of the relative importance of the different counties, and of their respective advancement in wealth and population, by the assessments laid at two periods by the Assembly. In 1683, to raise fifty pounds, the four counties then existing were assessed in the following proportions :

Bergen,	£11.	Essex,	£14.
Middlesex,	£10.	Monmouth,	£15.

In 1693, each county was divided into its several townships, and to raise in 1694, the sum of £79 12s. 9d., the following proportions were enacted, exhibiting the relative importance of each town, as well as of each county :

⁶¹ It was thought advisable to transcribe the document literally, excepting the substitution of the letter *u* for *v*, (which is used throughout instead,) the copy which is followed having evidently been made with great care and soon after

the testator's death ; although it is probable some of the peculiarities of orthography may have been those of the copyist.

⁶² See page 131.

		£	s	d	£	s	d
Bergen,	{ Bergen,	7	9	6			
	{ Hackensack,	3	18	9			
		<hr/>			11	8	3
Essex,	{ Acqackanonek and	6	15	0			
	{ New Barbadoes,						
	{ Newark,	6	15	0			
	{ Elizabethtown,	11	2	0			
		<hr/>			24	12	0
Middlesex,	{ Woodbridge,	8	5	0			
	{ Piscataway,	5	6	0			
	{ Perth Amboy,	2	0	0			
		<hr/>			15	11	0
Monmouth,	{ Middletown,	9	17	6			
	{ Shrewsbury,	11	17	0			
	{ Freehold,	3	14	0			
		<hr/>			25	8	6
Somerset,					2	13	0
		<hr/>			£79	12	9
		<hr/>					

From this table it appears that Monmouth County still remained the first in importance, but Essex, since 1683, had rather gained ground in the strife for preeminence. Middlesex had not improved in the same proportion, but had far exceeded Bergen, which must either have been overrated previously, or became less populous and wealthy.

For the change which time had wrought in the face of the country, we are left to conjecture, no definite information respecting the character and quantity of the agricultural productions being obtainable; but it is very evident that, the labors of the husbandman must necessarily have been confined to narrow limits in the immediate neighborhood of the several settlements, from the few facilities that were afforded for communication with the interior, other than those which the rivers presented. It is difficult to realize that, at the period to which this narrative refers, many of the principal roads—those great arteries, of such essential service in the circulation of intelligence and wealth throughout the body politic,—were yet shrouded in wood, or unmarked on the barren heath.

The only Indian path, or track, of which there is any record, was one which has been mentioned, extending from Shrewsbury river to the northwest limits of the province; and the only road opened by the Dutch, appears to have been that by which intercourse was kept up with the settlements on the Delaware, in what is now Maryland. It was connected with New Amsterdam by a water communication from Elizabethtown point, or thereabout, and ran to the Raritan river at a point near where the present New Brunswick stands; its route probably being the same with what is now known as the old road between those places. The Raritan was forded at low water, and the road ran thence in almost a

straight line to the Delaware, (above where Trenton now stands,) which was also forded. This was called "the upper road;" another, which branched off five or six miles from the Raritan, and arrived at the Delaware by a more circuitous route at the site of the present Burlington, was called "the lower road."⁶³

The Communipau ferry, established in 1661,⁶⁴ was placed under due regulations by Governor Carteret in 1669, and continued for many years the only authorized mode of communicating with New York from the Bergen district.⁶⁵

The first public measures for the improvement or establishment of roads, seem to have been adopted in 1675. In November of that year it was enacted that two men in each town should be appointed "to lay out common highways:" and in April following, the appointment of persons was directed to be made by the towns of Middletown and Piscataway, "to make out the nearest and most convenient way that may be found, between the said towns, upon the country charge."⁶⁶ This was required to be done in thirty days, (indicating that the topography of the country was such as rendered the opening of the road a work of little labor,) under "the penalty of what damage might ensue for the want thereof."

These measures were followed in March, 1682-3⁶⁷ by the appointment of commissioners from among the most influential men in the province, "to lay out and appoint" in the different counties, (Essex, Bergen, Middlesex and Monmouth being all then existing,) "all necessary highways, bridges, passages, landings and ferries, fit and apt for travelling passages, and landing of goods." These Boards continued in existence for several years, and under their direction the first system of intercommunication was established. They made a return to the governor of the routes selected, and the roads when made were to be kept in order by the person, town, or township deriving the greatest benefit from them. The present generation travel many of the roads laid out by these commissioners.

In July, 1683, instructions were issued to Deputy-Governor Lawrie calculated to effect the establishment of a road between the new capital,

⁶³ Bill in Chancery, p. 5.

⁶⁴ See page 20.

⁶⁵ Rates were established for the transportation of Corn, Barrels and Half Barrels of Beer, other goods and liquors in casks, Horses, Oxen, Cows, Hogs and Sheep, as well as for passengers, in fair weather, but "by night or in unseasonable weather," the rates were as the parties might agree. The ferryman was obliged to keep his boat in readiness at

all times, but more particularly on three days in the week, to be agreed upon *unanimously* by the inhabitants of Bergen and Communipau, when they were obliged to attend punctually. Subsequently the ferryman was a personage of sufficient importance to be elected by the people.—E. J. Records, Lib. III., p. 27.

⁶⁶ Grants and Concessions, p. 118.

⁶⁷ Grants and Concessions, pp. 256, 294, 221.

“Perth town,” and Burlington; and Lawrie, the ensuing year, carried the plan into execution. The road was opened, and a ferry-boat, for the transportation of freight as well as passengers, connected it with New York; but notwithstanding strenuous exertions were used to make the route preferable to the other, by the way of New Brunswick, they were unsuccessful. In 1698, the proprietaries directed Gov. Basse to procure from the Assembly a specific act making it, by law, *the public road*, and providing for its good condition; but no such endorsement was secured.⁶⁸

The preference manifested for the old road did not raise its character materially, but in 1695 its improvement was contemplated by laying a tax for five years on the Inn-holders of Piscataway, Woodbridge, and Elizabethtown, to prevent its “falling into decay,”⁶⁹ and on the 2d December, 1697, the ford at New Brunswick was changed into an established ferry.⁷⁰ The only public conveyance through the province previous to the surrender, of which any knowledge has been obtained, was a wagon on the Amboy road, which, under authority from Governor Hamilton, ran at irregular times, and without established rates, in connection with the packet-boat to New York.⁷¹

The progress of legislation and its objects, have been cursorily noticed in connection with the regular course of the narration, but an examination into the tenor of some of the laws not particularly noticed elsewhere may afford interest, at least, if not instruction.

Although thirty-four years had elapsed since the exercise of legislative powers in the province, yet, so unsettled had been the government for much of that period, that at the time of the surrender, the laws were still marked by much of that instability and inapplicability to the wants and circumstances of the people which usually characterise those of inexperienced or young communities. The diversity of national habits, of associations and education among the people, tended not a little to increase the difficulty and prevent the adoption of a systematic code of laws. The descendant of Puritans from New England, the persecuted dissenter from

⁶⁸ Grants and Concessions, pp. 256, 294, 221.

⁶⁹ Grants and Concessions. The sum required annually to keep the road in repair at that time was *ten pounds*; three were paid by the innholders at Piscataway, fifty shillings by those at Woodbridge, and the remainder by those in Elizabethtown.

⁷⁰ Called subsequently “Inian’s ferry,” from John Inians, who was the first grantee; the privilege to continue during the natural lives of both himself and

wife at five shillings sterling per annum.

It is doubtful if the transportation of heavy vehicles or of merchandise was provided for. Even in 1716, an ordinance of Governor Burnet’s, prescribing the rates of ferriage, only provides for “Horse and Man,” and “single persons.” At that time all goods carried between New York and Philadelphia went by the way of Amboy.—E. J. Records. Bill in Chancery, p. 5. Neville’s Laws, I. p. 60.

⁷¹ Smith’s N. J., p. 302.

Britain, the peaceful republican Quaker, and the staunch friend to royalty, here met on common ground; naturally disposed to carry out each his own views as to what constituted good government, and either to withhold his approbation to measures proposed by his fellow legislators, or to profit by the first opportunity to substitute his own. Even when apparently united in a desire to advance the prosperity of the province by wholesome laws, a wrong estimate of the means to be adopted too often thwarted their endeavors.

The spirit of the settlers from New England is plainly manifested in the penal laws which were early passed, and—although modified to some extent by the views of the less rigid immigrants from Europe—continued for the most part in force during the whole period of the proprietary governments. Drawing upon the Levitical code for many of the provisions and for much of the language of their laws, the descendants of the Puritans set up, in the penalties prescribed for their offending neighbors, an enduring memorial of the influence they possessed and exercised over their fellow colonists from other quarters; and it is fortunate that the rights and privileges of the inhabitants of East Jersey, in relation to religious liberty, were so expressly guaranteed in the concessions and fundamental constitutions of the province, or we might have to read a record of assumed powers for the regulation of man's belief.⁷¹ Gordon

⁷¹ See page 44, for the regulations for Newark, where the New England people were supreme. The author would not be understood as undervaluing the character or the services of the Puritan settlers of New Jersey. To them and to their descendants is the state indebted for much of the stability of its institutions, the prevalence of virtuous principles among its population, and the great deference for the laws which has, with so few exceptions, existed within its limits.

During the period of provincial history to which the foregoing narrative refers, the Newark people appear to have ever continued steadfast to law and order notwithstanding their proximity to Elizabethtown, where disorganizing doctrines and proceedings were so prevalent; although, in subsequent years, led away by designing men, they became in a considerable degree identified with

the party inimical to the proprietary interests.

When 1670 arrived, and the first quit rents became due, although they informed the governor that they 'held and possessed their lands and rights in the said town both by civil and a *divine* right,' yet they were ready when the time should come 'to perform their duty to the lords and their assigns,'—and so it proved. On the 24th March every man's rent was required to be paid in wheat, into the hands of specified messengers who 'on the morrow were to carry it to Elizabethtown.' And annually thereafter, so long as quietness prevailed in the province, a similar course was pursued.

And in March, 1680, in answer to the proclamation of Andros abrogating the authority of Carteret, they wrote to him that 'they had taken the oath of allegiance to the king and fidelity to the

in his *History of New Jersey*, when comparing the laws of the Eastern and Western provinces, observes that, "the genius of Calvinism, which rules by terror and the ever suspended sword in this and in the future world, is strongly impressed upon the one, whilst a prudent reserve in naming crimes, and a humane forbearance in their punishment characterize the other. The ancient lawgivers prescribed no punishment for parricide, deeming the offence impossible: the Quaker legislators had no enactment against arson, no prescribed punishment for murder, or treason, and other heinous offences; and yet during four and twenty years of their administration, no instance of such crimes was known within their territories. In East Jersey there were thirteen classes of offences against which the penalty of death was denounced,⁷² while in West Jersey such punishment was unknown to the law."

This was the first penal code enacted in 1668, and renewed in 1675. In 1682, some modification took place. The crimes for which death might be incurred were Arson;⁷³ Murder;⁷⁴ Perjury to the prejudice of life; Stealing away any of mankind;⁷⁵ Burglary and Robbery on the commission of the third offence, as incorrigible;⁷⁶ Theft if incorrigible;⁷⁷ Witchcraft;⁷⁸ Conspiracy to invade or surprise a town or fort; Smiting, or cursing their parents by children without provocation, on the complaint of the parents only;⁷⁹ Rape, subject to the discretion of the court;⁸⁰ Gross and Unnatural Licentiousness;⁸¹ but Life was not to be taken save on proof of two or three witnesses.

Infidelity in the married life was made punishable by divorce, corporal punishment, or banishment, as the court might award; but in 1682, the parties were made subject to a fine and were bound to behave themselves

present government, and until they had sufficient order from his majesty they would stand by the same. These instances of their faithfulness to their engagements, and others of the same kind, present a strong contrast to the proceedings of many of their neighbors.

⁷² Mr. Gordon should have added 'under certain circumstances.' Mr. Bancroft, in his early editions, confounds this code with a few mild laws passed under the Dutch government in 1673.

⁷³ The person to be tried for his life or receive corporal punishment, at the pleasure of the court, should he refuse or be unable to make full satisfaction.

⁷⁴ In 1682, one-third of the murder-

er's estate was given to the heirs of the sufferer, in addition.

⁷⁵ Exodus 21: 16.

⁷⁶ For the first offence full restitution was to be made, and the culprit branded with T in the hand; for the second, restitution and the brand of R in the forehead, and if unable to make restitution, corporal punishment to be inflicted instead.

⁷⁷ For the first, second, and third offences treble restitution; if unable, the culprit to be corporally punished.

⁷⁸ Exodus 22: 18.

⁷⁹ Exodus 21: 17. Levit. 20: 9.

⁸⁰ Deut. 22: 25.

⁸¹ Levit. 20: 13, 15, 16.

for a year. A want of chastity was at first made punishable by fine, marriage, or corporal punishment; but in 1682, three months' imprisonment or a fine of five pounds was incurred, and in 1686 ten stripes at the public whipping-post were substituted in place of the imprisonment, should the fine not be paid.

Night-walkers, or Revellers after nine o'clock, (the time subsequently extended an hour,) were to be secured by the constable till morning, and unless excused on examination to be bound over to appear at court.

Marriages had to be published three times in some public "meeting or kirk," or publicly advertised two weeks; and to render them legal the consent of parents, masters, or guardians had to be obtained.

Horses and cattle roamed at large, and were obliged to bear the brands of the town to which they belonged, as well as the owners' private marks. The provisions respecting assaults by cattle upon either man or beast, trespasses by cattle and injuries done to them, were almost identical with those of Scripture.⁸² These were enacted in 1682, at which time the laws relating to the punishment of theft, seduction, injustice to the widow or fatherless, and for damage sustained by fire from the carelessness of others, were all made conformable to the Levitical law.⁸³

The resistance of lawful authority by word or action, or the expression of disrespectful language referring to those in office, was made punishable, either by fine, corporal punishment, or (as from 1675 to 1682) by banishment. Circulators of false news respecting public affairs, were fined ten shillings for the first offence, and for the second were "whipped or stocked;" and in 1675, *all* liars were included, for the second offence incurring a fine of twenty shillings; and if the fines were not paid the culprits were put in the stocks or received corporal punishment. The resort so frequently had to this last mode of punishing offenders, was without doubt owing to the want of proper prisons; for although we learn that at one time the province prison was "at the house of Captain Berry in Bergen," and at another, that Woodbridge had one within its bounds, there are no grounds for presuming either or both to have been of sufficient dimensions to accommodate all the offenders who might have been sentenced to confinement, had not corporal punishment been substituted.

"Concerning the beastly vice Drunkenness," the first laws inflicted fines of one shilling, two shillings, and two shillings and sixpence, for the first three offences, with corporal punishment if the offender should be unable to pay, and if unruly he was to be put in the stocks until sober. In 1682. this vice was treated more rigorously; each offence incurred a fine of five shillings, and if not paid the stocks received a tenant for six hours: and constables not doing their duty under the law, were fined ten shillings for each neglect. This increase of punishment would indicate a greater prevalence of the baneful practice, the result probably of the removal of restrictions which had existed on the sale of liquors in small quantities.

⁸² Exodus, chap. 21 and 22.

⁸³ Exodus 22.

In 1668, each town was obliged to keep an "ordinary," for the relief and entertainment of strangers, under a penalty of forty shillings for each month's neglect; and none but ordinary keepers were permitted to retail liquors in less quantity than two gallons.⁸⁴ In 1677, the quantity was reduced to one gallon. In 1683, ordinary keepers were debarred the privilege of recovering debts for liquor sold amounting to five shillings; but whatever good this might have done was destroyed by the Assembly's authorizing the retailing of strong liquors by the quart, without restriction. In 1692, "forasmuch as there were great exorbitances, and drunkenness observable in several towns, occasioned by tolerating many persons in selling drink in private houses;" an attempt was made to establish an excise of four shillings per barrel on Beer, and one shilling per gallon on Wine, Brandy, &c., but in 1693, it was repealed, and the licensing of retailers confided to the governor.

As to personal rights, the laws were framed in a liberal spirit. In 1675, imprisonment for debt, save where fraud was intended, was prohibited. In 1678, the benefit of the Common Law of England was assured to every one. In 1682, it was provided that no one should be imprisoned save by the judgment of his peers, or the laws of the province. All Courts were open to religious persons of any persuasion, and they were allowed to plead in their own way and manner, either in person or by their friends or Attorneys. All legal proceedings were to be in English, and as brief as possible. Trial by jury was confirmed with "reasonable challenges allowed the offender." All persons to beailable except capital offenders. No court, by execution or other writ, to authorize the sale of any man's land, without his consent,⁸⁵ but the rents or profits might be stopped for the payment of just debts.

"All prizes, stage-plays, games, masques, revels, bull-baitings, and cock-fightings, which excite people to rudeness, cruelty, looseness, and irreligion," were to be discouraged, and punished by courts of justice, according to the nature of the offence. Swearing, or "taking God's name in vain," was made punishable by one shilling fine for each offence, as early as 1663, and such continued to be the fine until 1682, when a special act provided that the fine should be two shillings and sixpence, and if not paid, the offender was to be placed in the stocks or whipped,

⁸⁴ It is somewhat remarkable that notwithstanding this prohibition, and a similar one of their own adoption in 1671, preventing sales under a gallon "unless in case of necessity," excepting by their "ordinary keeper" (Henry Lyon) the good people of Newark should, in 1673, have authorized "Mr. Crane to sell liquors in the town," he "having

liquors for six shillings a gallon and one shilling and sixpence a quart, they paying wheat for it." The lowness of the price was probably too great a temptation.

⁸⁵ "On the subject of real estate in the New World the puritans and the lawyers differed widely."—Bancroft, II. p. 319, [9th Edit.]

according to his age, whether under or over twelve years. The observance of the Lord's day was required: servile work, unlawful recreations, unnecessary travelling, and any disorderly conduct, being punishable by confinement in the stocks, fines, imprisonment or whipping.⁸⁶

The courts charged with the administration of these laws were of four kinds. County Courts, Monthly Courts, a Court of Assize, and Courts of Common Right. The County Courts were established in 1675, holding two terms each year for the trial of all causes, and no appeal from them was allowed in matters under twenty pounds, excepting to the Bench or Court of Chancery. The judges were elected in the several counties. The same year a Court of Assize, to hold one term yearly, at Woodbridge, was created, and also the Monthly Courts of small causes, whose jurisdiction in civil cases extended to sums of forty shillings. These courts consisted of three persons, chosen by the several towns yearly, each possessing its own, and their decisions were final.⁸⁷ In 1682, a jury was allowed at the cost of the person desiring it.

A grand jury was to be chosen in each town, to be under oath to take notice of all infringements of the laws and present them to the next court, "always provided that no town shall oppress their neighbors by continuing them in the place above the space of one year." Any person refusing to serve on one of these juries when elected, was subjected to a fine of thirty shillings. In 1678, it was declared unnecessary for all the constables in the province to attend the court of assize; two from the adjoining towns, with the one at the place where the court was held, being sufficient.

In 1682, Courts of Common Right were established, to hold four terms a year at Elizabethtown, to which appeals could be made from any inferior court in cases where five pounds and upward were at stake, and it was declared the Supreme Court of the province. Previous to this, the office of Sheriff does not appear to have existed. In 1686, the number of terms was restricted to two, and Perth Amboy was the place where they were to be held. Although a Court of Chancery was referred to as early as 1675, no such court was ever established while the province remained under the proprietaries.⁸⁸

⁸⁶ In 1704 many of these prohibitions were re-enacted, but by that time it would seem that the use of ardent spirits began to be considered necessary. Keepers of public houses were not to allow "tipping on the Lord's day, except for necessary refreshment." See Grants and Concessions for all the laws prior to the surrender, excepting those passed under the Dutch domination in

1673, which are in Albany Records, Vol. XXII. p. 375.

⁸⁷ Previous to this several of the Towns had their own courts in operation. In Newark there were two courts held annually as early as 1669, the verdicts being by a jury of six men; and in 1672 there were quarterly terms.

⁸⁸ The first held was in 1718, during Governor Hunter's administration, and

The legal provisions which have been noticed were intended to satisfy the requirements of morality: but, from the mingled character of the people assembled within the province, from different lands, of different sects, chiefly concerned in advancing their pecuniary condition,—where liberty of conscience was assured to all, and where ministers of the gospel were so rarely to be found to guide and control the waywardness of man's nature,—little zeal was shown in religious matters.

“There were some of almost every religious profession under heaven,”⁸⁹ observes one writer, causing such a diversity of opinion and separation of communities, as naturally prevented any rapid or systematic advance in the establishment of ministers or the erection of churches. The places principally settled by emigrants from New England, as they were more united in “doctrine and fellowship,” were perhaps exceptions; securing the services of clergymen, or aiming at regularity in public worship, from the earliest period of their existence,⁹⁰ although in them also there were difficulties attending their permanent establishment. The influence of this class of the population was undoubtedly beneficial.

In 1684, an early settler thus writes to his friends in Scotland: “There are here very good religious people, they go under the name of Independents, but are most like to the Presbyterians, only they will not receive every one to their society. We have great need of good and faithful ministers, and I wish there would come some over here; they can live as well and have as much as in Scotland, and more than many get.”⁹¹ At this time, from the death of others, there was but one clergyman in East Jersey, who resided at Newark; public worship, however, was regularly attended in many of the towns, but in several parts of the province the people were without any religious services till a much later period; the first important

it was considered that the assumption by him of the office of Chancellor was an undue exercise of authority, and one which might result in great injury to the people; but his conduct received the approbation of the Queen's government. Answer to Bill, p. 4. Dunlap's N. Y., I. p. 281.

⁸⁹ Rogers' N. America, and see page 51, *note*.

⁹⁰ We find a clergyman at Newark in a year after it was founded. At Elizabethtown, John Fletcher, their minister, died in 1682; how long he had previously officiated is not stated. From 1690 or earlier, to 1704, John Herri-man was established there. (Murray's Notes on Elizabethtown.) He filled

many different offices in his neighborhood. In 1692 he applied to the Board of Proprietors for land “at an easie acknowledgment, in respect of his numerous family,” (seven sons, &c.) and one hundred acres were granted to him. He had already, he stated, expended large sums in purchasing and improving.

⁹¹ Scot's Model, pp. 199, 200. Another class of the population is designated by another settler as “a most careless and infrugall people; their professions are most part Protestants, few Quakers, some Anabaptists; it is most desired there may be some ministers sent us over, they would have considerable benefices and good estates.” Scot's Model, 194.

measures towards supplying both East and West Jersey originating in England, with the Society for Propagating the Gospel, subsequent to the surrender:⁹² the example of the Society being followed by other denominations of Christians.

The immigration from Scotland to the central portion of the province included many of the Scottish Kirk. Two of their ministers, if no more, are known to have accompanied the settlers,⁹³ and in 1698, a clergyman of the Church of England was established at Perth Amboy, the capital.⁹⁴ It is probable that in 1702 there were eight or ten regularly settled ministers in the province.

Schools and schoolmasters were twice made the subjects of legislation under the proprietary governments, but it is impossible to discover from the imperfect records to what extent education was fostered; although, as has been before stated, from various indications it is evident that, with increase of population increased interest was felt in this all-important matter.⁹⁵ In 1693 the inhabitants of any town by warrant from any Justice of the Peace might meet and choose three men to make a rate and establish the salary of a schoolmaster for as long a time as they might think proper; a majority of the inhabitants to compel the payment of any rates levied and withheld; the Act setting forth that "the cultivating of learning and good manners tends greatly to the good and benefit of mankind." This act being found inconvenient, "by reason of the distance of the neighborhood," in 1695 another one was passed, directing the choice of three men annually in each town, to be authorized to select a teacher and the most convenient place or places where schools should be kept.

The currency of both East and West Jersey during the whole period of their colonial existence was much more stable than that of the neighboring colonies, and we at no time meet with such a state of confusion and difficulty as elsewhere prevailed at different periods.⁹⁶

⁹² For a description of the Religious state of the province previous to 1700, deplorable enough, see Humphries' Hist. Account of the Society for the Propagation of the Gospel.

⁹³ E. J. Records, A. p. 385.

⁹⁴ Humphries. E. J. Prop'y Minutes. He was the Reverend Edward Perthuck, sent out by the Bishop of London at the request of several of the proprietaries preferred in 1695. In 1702, the Society sent out the Rev. George Keith, to travel through the provinces and determine upon the best location for Missionaries.

⁹⁵ The first schoolmaster in Newark was established there in 1676; he was to "do his faithful, honest, and true Endeavor to teach the Children or Servants of those as have subscribed, the reading and writing of English, and also Arithmetick if they desire it, as much as they are capable to learn, and he capable to teach them within the compass of this year." Town Records.

⁹⁶ Madame Knight in her Journal, referring to Connecticut as late as 1704, says, "they give the title of merchant to every trader who rate their goods according to the time and spetia they pay

In East Jersey, for some time after its settlement, the coins of both Holland and England, and their respective moneys of account were used; and the Indian wampum afforded the means of exchange with the aborigines. As its fabrication was free to all persons⁹⁷ every one was director of his own mint, and verifying truly the words of Scripture,—“the hand of the diligent maketh rich”—he who most assiduously sought the simple *bullion* from which it was coined, was in the way of becoming the wealthiest of his race.⁹⁸

Barter, as is always the case in the infancy of settlements, was the mode by which much of the traffic of the province was carried on, and sumptuary laws were passed from time to time, between 1668 and 1692, regulating the price at which various manufactures and productions of the soil should be received in payment of the public charges, or on settlement of accounts.

The following table will show the years in which material changes were made in these established prices.

	1668.	1678.	1692.
Winter wheat, per bushel,	5s.	4s. 6d.	4s.
Summer wheat, “	4s. 6d.	4s.	—

in, viz. Pay; Money; Pay as Money; and Trust. ‘Pay’ is grain, pork, beef, &c. at the prices set by the General Court that year: ‘Money’ is pieces of eight-rials or Boston-bay shillings, (as they call them,) or good hard money, as sometimes silver coin is termed by them also wampum, viz. Indian beads, which serves for change: ‘Pay as Money’ is provisions as aforesaid one third cheaper than as the Assembly or General Court sets it: and ‘Trust’ as they and the merchant may agree for the time.” Of course the prices varied with the difference in pay.

⁹⁷ Vanderdonck’s New Netherlands. It was called by the Dutch *Seuant*.

⁹⁸ Vanderdonck says “the species are black and white, but the black is worth more by one half than the white; the black is made from Conch shells which are to be taken from the sea, or which are cast ashore from the sea twice a year. They strike off the thin parts of these shells and preserve the pillars or standards, which they grind smooth and even, and reduce the same according to

their thickness, and drill a hole through every piece, and string the same on strings, and afterwards sell their strings of wampum in that manner: this is the only moneyed medium among the natives with which any traffic can be driven.” Several of these strings, varying in number with the importance of the occasion, formed the belts of wampum made to figure so largely in conferences with the Indians. Smith (Hist. N. J. 76) says the white wampum was fabricated from the inside of the great conchs, and the black or purple from the inside of the clam or muscle: from the Indian name of which last shell-fish the term *wampum* was derived.

In 1673 the value of this Indian money was fixed by proclamation from the Governor and Council of the New Netherlands at six white or three black (instead of eight white and four black, which had been the previous rate) to the stiver: twenty stivers making a guilder, which was equal to sixpence currency or fourpence sterling.

	1668.	1678.	1692.
Peas, per bushel,	3s. 6d.	—	—
Indian corn, “	3s.	2s. 6d.	2s. 6d.
Rye, “	4s.	3s. 6d.	—
Barley, “	4s.	3s. 6d.	—
Beef, pr. lb.	2½d.	2d.	—
Do. (1675) pr. bbl.	50s.	40s.	30s.
Pork, pr. lb.	3½d.	3d.	—
Do. (1675) pr. bbl.	70s.	60s.	50s.
Tobacco, (1675) pr. lb.	4d.	3d.	3d.

In 1675 tried tallow at 6d. per lb.; green hides at 3d. per lb.; dry hides at 6d. per lb., and good bacon at 6d. per lb.; were made receivable in payment of taxes, but, with peas, (after 1676) were no longer retained as “currency.” Indeed in 1676 only wheat, peas, and tobacco, were received for the public charges. In 1677, wheat, rye, Indian-corn and tobacco, were the prescribed medium; and in 1679 and 1692, Butter at 6d. per lb. was added to the articles given in the table for that year. Not until 1692 was the payment of the taxes in current silver provided for, and then it was left optional with the tax-payers; conclusive evidence that little coin was in circulation even then. The counties were expected, generally, to collect and transmit to the seat of government these products when received for taxes, at their own expense.

In 1677 “ordinary keepers” were authorized to charge for strong liquors retailed by the gill, not to exceed 10s. 8d. per gallon; per quart, 2s. 6d.; good wine, was to be 7s. per gallon; cider 4d. per quart; meals, each, 8d.; oats, 9d. per peck; pasture of horse, 6d. per day, by the week in summer 1s. 6d., in winter 1s. 8d. In 1684, servants’ wages were not under 2s. per day besides victuals, and at Perth Amboy, where buildings were being erected, they were 2s. 6d. At that time the currency was one-fifth more than sterling. In 1683, twenty-eight per cent is stated to be the usual profit on goods brought from England; but Samuel Groome, writing to the proprietaries, observes, “when I pay workmen and laborers, I pay them in goods rated cent-per-cent New York money; but then I must pay them two or three parts silver.”⁹⁹

The Act passed in April 1686, and repealed in October of the same year, regulating the value of silver, has already been noticed on a preceding page.¹⁰⁰ It was the only attempt made by the legislators of the province to make the circulation of the precious metals dependent upon other than natural laws, and was soon abandoned.¹⁰¹

⁹⁹ See Scot’s Model, pages 159, 163, 164, &c., for several other items of prices.

¹⁰⁰ See page 115.

¹⁰¹ An attempt of the same kind was made the same year in Maryland, and in Carolina in 1683.

The exertions of the proprietaries to insure their province the benefits of direct intercourse with foreign countries have been particularly noticed in the foregoing pages. From 1683, when they reminded their Deputy Governor that care was to be taken that goods be not exported to New York or other places, but that all goods were to be brought to Perth as the chief staple,¹⁰² down to the time of the surrender, they were especially concerned in obstructing the regular course of the trade of the province, which naturally tended towards the more populous towns of New York, with the view of dispensing with intermediate agencies in the transmission of its products to foreign markets. What little success attended their measures has been seen.

It is true that want of success was to some extent owing to the hostility of the province of New York, but the legislative enactments resorted to could not be otherwise than detrimental to the interests of the inhabitants; for, instead of extending bounties and other advantages to those who should engage in this foreign traffic which they so anxiously desired to establish, prohibitions were enacted, checking as a necessary consequence the production, by lessening the number of avenues of distribution or demand.

As early as 1678, when the condition of the province was so favorable for grazing that great numbers of cattle could have been raised at little or no expense, a law was passed prohibiting the transportation out of the province, or sale to any one not residing within it, of all hides or tanned leather; and the following year the prohibition was extended to Indian dressed skins. So in 1694, "for the better encouragement of builders of ships and other vessels" within the province,—as if the whole continent should depend upon the skill of the men of East Jersey,—the exportation of any "timber, planks, boards, oak-bolts, staves, heading, hoops, or hop-poles," was expressly forbidden, excepting to some port "over the broad seas—there to unload;" and, even to these ports, the exportation was encumbered by the requisition of bonds and the scrutiny of inspectors in all the towns. The effect of this law was necessarily hurtful. By confining the consumption of the produce of the forests to the people of the province alone, it took away from the new settlers one inducement, at least, for clearing their lands, and thus operated to retard their cultivation; and, by lessening the demand, the value of timber must have been also affected to the prejudice of the interests of the proprietaries; nevertheless it was by their approval that it became the law of the land. We have no evidence that it in the least benefited the class of persons for whom it professed to be framed, for it is doubtful if one vessel was built more than would have been without it.¹⁰³

¹⁰² E. J. Records, A, p. 368.

¹⁰³ There was no vessel built at Perth Amboy at all until 1702, and as that

was the chief port some doubts may be entertained if any number were built elsewhere. The same system was pur-

These and other instances of mistaken policy, were, in all probability, the primary causes why, in subsequent years, as well as before the surrender of the government, the trade of the province with other portions of the continent, was so limited in extent.

In connection with its commerce, the proprietaries at one time dwelt particularly in their publications and instructions upon the fisheries of the province, and it was expected that whaling would prove to be a branch of business exceedingly profitable.¹⁰⁴ Vanderdonck, in his Description of the New Netherlands, says, the whales would not compare in fatness with those of Greenland, but they were numerous in the winter on the coast, and in the bays, where they frequently grounded on the shoals. Seals were also seen upon the coast, and even in the harbor of Perth Amboy. De Vries, however, who engaged in the whale fishery, during one of his voyages on the coast, in 1632-3, pronounced the business an unprofitable one.

The first attempt to establish this branch of commerce on a permanent footing, was previous to the purchase by the twenty-four proprietaries, but with what success is unknown. On 15th February, 1668, a commission was granted to a company in Elizabethtown, to take whales, &c., for three years, (and all other persons were prohibited from doing so,) for one twentieth part of the oil in casks, and should Staten Island fall within the province, a town for twenty-four families was to be granted the company, at some convenient site.¹⁰⁵ In 1678, a similar commission was granted to another company, at the same place.¹⁰⁶

In 1684, there were persons engaged in whaling, and the proprietaries authorized the deputy-governor to use their efforts in the province

sued under the royal government. In 1714 the exportation of staves, &c., to the neighboring provinces was burthened with duties and regulations. These in 1717 were repealed because "prejudicial to the inhabitants," as might have been foreseen; but in 1743 they were re-enacted for fear there might "not be enough left for the necessary use of the eastern division," and *continued in force until the revolution of 1776*. Wheat, exported to the other provinces, was also made subject to duty in 1714; but this was repealed in 1717. In 1725 the duties were tried again for a limited period; and acting governor Reading, as late as 1758, recommended an outward duty upon all

merchandise sent to New York or Pennsylvania for exportation. As early as 1670, we find the Town of Newark prohibiting the making use of or selling any timber for pipe staves or heading excepting for the town, "under the penalty of losing all their labor for any timber so sold in the town or within four miles of the town any where." The cause of this is not stated.

¹⁰⁴ See Brief Account, &c., Note S. Scot's Model, p. 156.

¹⁰⁵ E. J. Records, 2d Liber III. p. 22. While this grant was in force a whale was cast ashore at Navesink and delivered up to the company.

¹⁰⁶ Ibid, Vol. II. Liber 3, p. 152.

in furthering the endeavors of the fishermen, rather than have them establish themselves elsewhere ; but there is no evidence that the business was prosperously conducted.¹⁰⁷

These desultory gleanings might have been extended to a greater length, had the original design of the present volume embraced them. Many of the subjects introduced would otherwise have been less briefly noticed, but it is hoped that more particular inquiries may be instituted by others, and successfully prosecuted, until the past shall have imparted all its lessons of experience for our benefit.

¹⁰⁷ Scot's Model, p. 181. E. J. Records, A, 364. Grants and Concessions, p. 175.

NOTES.

NOTE A, page 13.

THE following is the whole quotation from Denton, as given anonymously by Ogilby.

“ If there be any terrestrial happiness to be had by any people, especially of an inferior rank, it must certainly be here. Here any one may furnish himself with land, and live rent free, yea with such a quantity of land, that he may weary himself with walking over his fields of corn, and all sorts of grain, and let his stock amount to some hundreds, he need not fear their want of pasture in the summer, or fodder in the winter, the woods affording sufficient supply, where you have grass as high as a man’s knees, nay as high as his waist, interlaced with pea vines and other weeds that cattle much delight in, as much as a man can pass through. And these woods also every mile or half mile are furnished with fresh ponds, brooks, or rivers, where all sorts of cattle during the heat of the day do quench their thirst and cool themselves. These brooks and rivers being environed on each side with several sorts of trees and grape vines, arbor like interchanging places, and crossing these rivers do shade and shelter them from the scorching beams of the sun. Such as of their utmost labors can scarcely get a living, may here procure inheritances of lands and possessions, stock themselves with all sorts of cattle, enjoy the benefit of them while they live, and leave them to their children when they die. Here you need not trouble the shambles for meat, nor bakers and brewers for beer and bread, nor run to a linen draper for a supply, every one making their own linen, and a great part of their woolen cloth for their ordinary wearing. And how prodigal (if I may so say) hath nature been to furnish this country with all sorts of wild beasts and fowl, which every one hath an interest in, and may hunt at his pleasure: when besides the pleasure in hunting he may furnish his house with excellent fat venison, turkeys, geese, heath-hens, cranes, swans, ducks, pigeons, and the like; and wearied with that, he may go a fishing, where the rivers are so furnished that he may supply himself with fish before he can leave off the recreation. Here one may travel by land upon the same continent hundreds of miles, and pass through towns and villages, and never hear the least complaint for want, nor hear any ask him for a farthing. Here one may lodge in the fields and woods, travel from one end of the country to another, with as much security as if he were lock’d within his own chamber; and if one chance to meet with an Indian-town, they shall give

him the best entertainment they have, and upon his desire direct him on his way. But that which adds happiness to all the rest, is the healthfulness of the place, where many people in 20 years time never know what sickness is: where they look upon it as a great mortality if two or three die out of a town in a year's time. Besides the sweetness of the air, the country itself sends forth such a fragrant smell, that it may be perceived at sea before they can make the land. No evil fog or vapor doth any sooner appear, but a north-west or westerly wind immediately dissolves it and drives it away. Moreover, you shall scarce see a house but the south side is begirt with hives of bees, which increase after an incredible manner. So that if there be any terrestrial Canaan, 'tis surely here, where the land floweth with milk and honey."

Vanderdonck mentions Chesnuts; and says, "they would be plentier if it were not for the Indians, who destroy the trees by stripping off the bark for covering for their houses. They and the Netherlanders also, cut down the trees also in the chesnut season, and cut off the limbs to gather the nuts, which also lessens the trees." He enumerates among the native productions, persimmons, mulberries, wild-cherries, and crabs;—"the mulberries," he says, "are better and sweeter than ours, and ripen earlier:"—several kinds of plums, hazel-nuts, black currants, gooseberries, blue Indian-figs, strawberries, "in abundance all over the country," blackberries and raspberries. The English first brought over quinces. The Dutch introduced orchard-cherries, Spanish cherries, peaches, "merccotoons," apricots, several sorts of best plums, almonds, cornelian cherries, figs, several sorts of currants, gooseberries, &c "The land," he states, "is full of many kinds of grapes," and the description he gives of the luxuriance of the vines is quite touching,—"it is a pitiful sight to see the grape vines run up the trees, over the bushes, and hidden among the woods neglected, untrimmed, and uncultivated." He also mentions the "bush-burning" alluded to in the foregoing extract from Denton, and says it "presents a grand and sublime appearance." It facilitated the growth of new vegetation, enabled the hunter to track his game more readily, and by thinning out the woods and destroying the dry branches, enabled him to move with greater celerity and with less fear of discovery by the animals which he might be pursuing.

This continued to be the custom for many years in different parts of East Jersey. In Newark it was usual to appoint two of their most respectable citizens, annually, to superintend the process; and in 1673, some day in May was to be selected, when "every male from sixty to sixteen, shall go out to burn woods;" and a fine was imposed upon any one firing the meadows purposely or accidentally, previous to the tenth of March in each year.

¹ N. Y. Hist. Coll. 2d series, Vol. I.

NOTE B, page 22.

THE following is a literal copy (excepting some corrections in orthography and punctuation,) from the Albany Records, Vol. XXI. p. 431, as translated by Vanderkemp.

"1663. Voyage to Newesing,¹ made in the Company's yacht, with what happened during it; being on said yacht Mr. Krieges, Govert Lockermans, Jacques Corteljon, Peter Zevel, with ten soldiers, two sailors, and the Sachem, with a savage of Staten Island.

6 Dec. We sailed from the Manhattans about 3 o'clock, and arrived about evening at six at Staten Island, where the Sachem of said Island, with the savage, went on shore. They remained there about an hour, and then returned. Hoisting again our sail, we sailed through the Kil Van Kol, arrived at the back of Shutters Island upon undeeep water, cast our anchor, and remained there till the next ebb.

7 do. We raised our anchor again about three in the morning, rowed down with the ebb the kil behind Staten Island. Somewhat later in the morning we hoisted our sail and laveled² so long till the ebb was past, when we again cast our anchor. The flood being gone about two o'clock in the afternoon, we raised the anchor and laveled again. We discovered a sail towards evening, which we approached in the evening, and spoke to it; as it was Peter Lowrensen with a small sloop in which was Jacob Cowenhoven; they said they went out to barter venison. We both laveled together with our yachts that same evening towards the end of Staten Island, and cast there our anchors just opposite the Raritan Kil, where we did see two houses with southern savages: said Cowenhoven informed us that the English in an open sloop, being nineteen strong, sailed the day before up the Raritan river, where the savages of the Newesing³ and Raritans were collected together about three miles on the kil. The savages communicated the same. We remained that night before the Raritan Kil to sail it up the next morning to follow the English, but as during the night there was a very severe gale from the northwest, we were compelled to remain there that night.

8 do. The wind continued to blow very severely from the northwest, so that we could not proceed on the Raritan Kil, and were compelled to stay there that day. We resolved then to dispatch the savage Hans by land to the savages of Newesing, who were assembled about three miles in the country on the Raritan Kil; which was directly effected with sending him off immediately with verbal orders, as that he should warn the Sachems of the Newesings and Raritans, that we were laying with the yacht before the kil, and that we wished that they would come hither to us, to speak with them; and commanded further Hans to tell the Sa-

¹ "Newesing," Newasons, or Navesink.

² "Laveled," tacked.

³ Afterwards more properly called *Menesings*.

chems, if there arrived some English, or were actually among them, with a view to purchase some land from them, that they should not sell it to the English, as they had not even asked it of the Dutch Sachems on the Manhattans, and came thither in silence : and if the Sachems on the Newesings wished to sell some land, that they then should come to us, then we would speak together : on which, Hans with the rising sun directly departed to communicate it to the savages, while we remained before the Kil.

9 do. We saw in the morning about 9 o'clock the English vessel coming down, on which we directly raised the anchor and sailed towards it ; so as we did, arriving near her, we asked them from where they came ; on which the skipper, Stoffel Elsworth, answered, ' from the Kil : ' asked, what he had done there ; answered, ' he brought the English thither. ' We told him this was unbecoming, it was against our Government to act in this manner, and that he should answer for it ; on which William Geldor cried out, " It is well—it is well. " In the vessel were Charles Morgan, John Bon, James Holbert, John Totman, Sam Spysers, Thomas Wytlock, Sergeant Gybbings, from the first bay a man, named Kreupels-bos, one of Flushing, two from Jamaica, and a few more whom we knew not, to twenty in number. On the same day in the afternoon, returned about three, Hans the savage, whom we had dispatched on the eighth towards the Menesing Sachems who encamped it a considerable distance from the Raritan Kil ; and Hans the savage conducted to us six or seven savages, who informed us, that the English, before Hans the savage came to them, had arrived there, and presented the savages with some wine, and two fathoms black seewant¹ and one white, after which they had asked them if they would sell to them some land ; in the mean time [came] Hans the savage, when the whole was at an end, so that the English departed.

10 do. We departed again from the Raritan Kil, accompanied by two savages who were acquainted with the lands of the Menesings : we went down the bay, arrived at the kil which enters between Rensselaer's pier and the sand point ; met there again Stoffel Elsworth in his little sloop, and all the English sitting on shore near the kil ; we went with our boat on shore, and went towards them along the strand ; when we approached them we did see every one standing in arms. When the Sheriff Charles Morgan and John Bon advanced towards us, I asked them what was their business there, they answered, they went trading ; we replied, if they went to trade, why then they had such a strong force with them ? They said the savages were villains and could not be trusted, and therefore they went in such numbers ; we told them, that we were informed they came to purchase lands from the savages ; they answered, ' we went only thither to see the land. ' We again told them that they ought not to

¹ " Seewant," wampum.

undertake to purchase any land of the savages, as the largest part of it was already purchased by the Dutch. John Bon then asked me, under what government I presumed that they resided. I answered that they lived under that of the States General, and under that of the director General and Council here; to which he replied, why then are we not as well permitted to trade and explore land as ye? I answered him again, that they ought not to undertake to purchase any land from the savages, except that they previously obtained the consent of the Director General and Council; to which John Bon replied 'it shall be well:' then said Stoffel Elsworth, 'I told them already the same, that they should not do it.' Govert Lockermans told them then, 'ye are a party of traitors as ye act against the government of the state:' they said the king's patent was quite of another cast. Lockermans asked 'from where have ye your pass?' they answered 'from the Manhattans.' Lockermans retorted, 'why do you act then against this state?' to which Charles Morgan answered, 'sek noty bey affiet.'¹ The English had their savage with them, who was of the Menesings, and had share in the murder of Mispah's Kil, as our savage had informed us, whom we had taken with us in our sloop and carried hither, and his name was Quikems, living on the New-esting Kil, on the land called Townsing. We left then the English along shore and entered the kill about four miles along the west wall where the country was very mountainous; and the opposite side, as the savages informed us, was very poor, and some good land, old maize-fields, and yet some plantations which I before explored with Corteljon: then we crossed the hilly parts about nine miles, and perceived by a sign on board, that Stoffel with his sloop and English had entered the kil. We remained before it during the night.

11 do. The wind being S. W. we resolved to sail again towards the Manhattans, so as we did."

NOTE C, page 37.

The following is a fragment of a letter from Col. Nicholls, to the Duke of York, a copy of which is among the New York Colonial papers. It is without date, but was evidently written in 1664.

"I must now descend to the particular occasion of giving your royal highness this trouble, wherein my Lord Berkeley and Sir George Car-

¹ "These words of Morgan I do not understand, and cannot interpret." TRANSLATOR.

teret are concerned ; who, I know also, will be so just to me as to have me excused for manifesting clearly my knowledge to your royal highness.

About ten days past, Captain Bollen shewed me a letter from my Lord Berkeley and Sir George Carteret, and therewith a grant from your royal highness to them, for all the lands to the west of Hudsons River, as more fully may appear in the said grant : wherein is comprehended all the improvable part of your royal highness's patent, and capable to receive twenty times more people than Long Island and all the remaining tracts, in respect not only to the quantity of the land, but to the sea coast and Delaware River, the fertility of the soil, the neighborhood to Hudsons River, and lastly, the fair hopes of rich mines, to the utter discouragement of any that shall desire to live under your royal highness's protection. In short, I hold myself obliged to give your royal highness this account upon certain knowledge, having exactly considered and preferred the advance of your royal highness's reputation in these parts above all considerations or obligations whatsoever : and, for my boldness, I can at last but beg pardon. Neither can I suppose that my Lord Berkeley or Sir George Carteret knew how prejudicial such a grant would prove to your royal highness, but must charge it upon Captain Scot, who was born to work mischief, as far he is credited or his parts serve him.¹ This Scot, it seems, aimed at the same patent which your royal highness hath, and has given out words that he had injury done him by your royal highness : whereupon he contrived and betrayed my Lord Berkeley and Sir George Carteret into a design (contrary to their knowledge) of ruining all the hopes of increase in this territory which he hath fully completed, unless your royal highness take farther order herein. Upon this tract of land several new purchases are made from the Indians since my coming, and three towns beginning. I gave it the name of Albania, lying to the west of Hudson's River, and to Long Island the name of Yorkshire, as to this place the name of New York, to comprehend all the titles of your royal highness.

Far be it from me to aggravate any thing beyond the bounds of a faithful servant ; for, when it may conduce most for your royal highness's service, I shall as freely surrender up all parts to your royal highness's pleasure as it becomes me to do. I presume farther to propose a better and more entire tract of land, worthy of great consideration, to my Lord Berkeley and Sir George Carteret, which is that part of Dela-

¹ For a notice of this man see Thompson's highly interesting History of Long Island, 2d Edit. 2d Vol. p. 320. "He was a man of shrewdness, but base and unprincipled ; professing to be the rightful owner of numerous tracts of land in various parts, under purchases

from the Indians, and in various other ways he found persons sufficiently credulous to become purchasers," &c. He resided on Long Island, and being driven from there subsequently lived in New England.

ware River which is reduced from the Dutch, if it is not already disposed; if so, then that my Lord Berkeley and Sir George Carteret may have a hundred thousand acres along the sea coast, which is a most noble tract of land: but it will cost them £20,000 before it will yield them a penny, and their children's children may reap the profit."

Again, under date of April 9th, 1666, Colonel Nicholls thus wrote to Lord Arlington:

"My humble conception and certain knowledge directs me to inform your Lordship, that by the unskilfulness of the informers, the west side of Delaware River, now seated with Swedes, Finns and Dutch, is crushed between the Lord Baltimore's Patent on the west side, and the Lord Berkeley's indenture on the east, that the present inhabitants cannot possibly subsist in so narrow a compass." He, therefore, calls upon them to rectify these mistakes, and advises that twenty miles on each side of the River Delaware, which had been taken from the Dutch, should be given to Lord Berkeley and Sir George Carteret, instead of the lands granted them.

NOTE D, pages 22 and 40.

MR. BANCROFT in the earlier editions of the second Volume of his History of the United States (p. 316) says—"A few families of Quakers had found a refuge in New Jersey before the end of 1664: more than a year earlier, (March 26, 1663,) New England Puritans, sojourners on Long Island, solicited and obtained leave to establish themselves and their cherished institutions on the Raritan"—and he quotes Albany Records, IV. p. 415.

In a notice of this passage in the Newark Daily Advertiser of March 12th, 1840, the identification of these applicants for an establishment on the Raritan, with the actual settlers at Elizabethtown, was attempted, (the question possessing some interest in determining the progress of colonization,) and an opinion expressed that the permission could not have been granted by the Dutch authorities, or, if granted, that the settlement was not made.

Subsequent editions of Mr. Bancroft's work have the passage modified, as follows:—"Before the end of 1664, a few families of Quakers appear also to have found a refuge *south of Raritan Bay*." [Neither the place nor the authority is given.] "More than a year earlier, New England Puritans, sojourners on Long Island, solicited of the Dutch, and, *as the records prove*, obtained leave to establish on the banks of the Raritan and the Minisink, their cherished institutions, and even their criminal jurisprudence."—p. 317. This reference to "the Records"

seems to discredit the testimony of the settlers themselves—for they say in their subsequent applications that they “were obstructed by the then ruling Dutch.”

The writer regrets that he is obliged to differ from one whose historical researches have earned for him so much of renown, but the document referred to by Mr. Bancroft cannot, he conceives, be offered in corroboration of his views. It is a despatch from the Directors of the West India Company, dated, Amsterdam, 26th March, 1663, and reads as follows:—“Thus far we paid our attention to the two letters signed by the Director and Counselors. The next which claims it, is that of the Director Stuyvesant in particular, in which we observe a *petition of some English neighbours, who desired to establish themselves* in considerable numbers within the limits of the company’s jurisdiction behind Staten Island, about the Raritan river, and *did see from the annexed documents your Hon’s opinion about it*, to which we then make no objection, especially so as this settlement might serve as a bulwark to our nation against the savages on the Raritan and Minisink, wherefore *it should have been gratifying to us that this proposal had been carried into effect*, in which efforts we hope that your Honour shall continue. If we are not mistaken, then *the principal obstacle which retarded its progress*, was the appeal in criminal cases and capital crimes of whoredom, adultery and similar offences, which they punish according to the law and the expressed word of God, against which maxim, although the laws of our Fatherland use some connivance in this respect, we make no objection, but could not willingly transfer to them the absolute disposal of all criminal cases whatever, without appeal. Nevertheless, if the admission and settlement of this nation on that spot is considered so all important to ours, we could permit, to facilitate this negotiation, that no appeals to us should take place in all such crimes in which the process of the crime is instituted upon a voluntary confession, in which could not be consented in all other cases of a dubious nature, as your honour must apprehend; besides further, that their laws, in punishing all similar crimes against the maxims of our Fatherland should only be put in practice against their own countrymen, and not against such of our nation who might settle amongst them. *Your Honour must not give up this point, as long as it is tenable*—it is of too high importance—provided if the object in view is not obtainable without this sacrifice, then your Honour is authorized to treat with the English on such terms as in your opinion are best adapted to promote the welfare of our State and its subjects.”—[Albany Records, IV. 415.]

Now here we have an application to the “then ruling Dutch, obstructed” by obstacles suggested by Governor Stuyvesant, and which he specifies in his “opinion,” forwarded to the Directors in Holland. This circumstance alone certainly identifies the Elizabethtown company with the applicants referred to; and the fact of their renewing their application

to Nicholls, is proof that nothing definite in the shape of "permission" was ever obtained. But this is not all the testimony bearing upon the subject. In Volume XIX of the same Records [pp. 409 to 421] we have information of a petition for land from the English in Connecticut, (Robert Treat being among them—afterwards a Newark name,) and the action of the Council thereon in November, 1661. No particular location is mentioned, and nothing specific seems to have been determined on. In Volume XX [pp. 73 to 77] the matter is again on record as under consideration from March to May 1662. Forms of oaths were prescribed for the settlers, and other stipulations made by the Council, but there were difficulties in the way of a full completion of any arrangement. What those difficulties were, the foregoing despatch informs us; *for it is at this stage of the negociation it comes in* to prove that up to March 1663, no agreement had yet been perfected: and in Volume XXI, pages 231 to 237, is a record of a renewal of the negotiations in June 1663: but there is nothing to show that any actual permission was given—that the terms prescribed were acceded to—or that a settlement was made while the country continued under the domination of the Dutch.—[See Denton's New York, reprint of Penn. Hist. Soc., pp. 12, 13.]

NOTE E, page 42.

THE following is a synopsis of the agreement between Carteret and Pierce, Pike and Toppan, on the 21st May, 1666.

ART. I. Liberty is given to the associates to settle one or two townships consisting of from 40 to 100 families, between Rahway and Raritan Rivers: the settlement to commence before the month of November ensuing. The inhabitants within the bounds of each town to lay out their respective portions "within themselves"—one thousand acres to be laid out in two tracts, of 500 each, for the proprietors.

ART. II. The inhabitants of each town were to have a charter granted them,—to choose their own magistrates for the government of the corporation,—their own minister, and to nominate their military officers and Justices of the Peace for the approval of the Governor; and they should have courts to try all causes actionable within their own jurisdiction, from which no appeal was to be made under the sum of five pounds.

ART. III. Liberty of conscience guaranteed short of licentiousness and disturbance of the peace: 200 acres of land to be allowed for the maintenance of the ministry, and also, enough for the erection of a church, for a churchyard, and other public uses.

ART. IV. No tax or custom to be imposed save such as should receive the approbation of the Governor, Council, and General Assembly.

ART. V. The manner of laying out the lands and the payment of the halfpenny per acre, quit rent, provided for.

ART. VI. The inhabitants to join with those of the other towns in repelling invasion or quelling insurrection.

ART. VII. The freeholders to have a free voice in electing delegates to the General Assembly.

ART. VIII. The inhabitants to submit themselves to the laws, and swear or subscribe the oaths of allegiance.

ART. IX. Full liberty to be given to their removing to any other place, and to their selling their lands as they might think proper.

ART. X. The punishment of criminals prescribed.

ART. XI. Lands not to be resurveyed after seven years' possession.

ART. XII. The inhabitants to pass all necessary laws not contrary to those of the province. Three months were given the associates to make known their final determination.

May 11, 1668, the agreement was confirmed by John Martin, Hopewell Hull, Robert Dennis, John Gillman, Benjamin Hull, John Smith, Charles Gillman, and Hugh Dunn; and on Oct. 20, 1670, Governor Carteret waived all objections that might have been made on the ground of their not having "come in exactly according to the time limited." E. J. Records, Lib. I. 2d part, pp. 19 to 22.

NOTE F, page 42.

SYNOPSIS of *Woodbridge Charter, June 1st, 1669.*

ART. I. Specifies the metes and bounds, which are particularly described, and the tract is said to be bounded on the east by Arthur Cull Sound, north by Elizabethtown, west by New Piscataway, and south by the Raritan.

ART. II. Stipulates that the corporation shall consist of at least sixty families, and as many more as shall be thought proper;—directs how the land shall be divided, surveyed, &c., each patentee to pay a halfpenny per acre annually to the proprietors.

ART. III. The freeholders to have power to choose their own magistrates, to be assistants to the President or Judge of the Court, and for ordering all public affairs within the township, to nominate their Justices and Military officers, to be approved of and commissioned by the Governor.

ART. IV. The majority of the freeholders and freemen to choose their own minister or ministers, towards whose support each inhabitant

shall contribute according to his estate.—200 acres of land to be laid out for the use of the minister and 100 acres for the maintainance of a free school—“which said land shall not be abducted, but shall remain from one encumbent to another for ever;”—the said lands, as well as those for building a church or school-house, and for a church-yard and market-place, to be exempt from the quit rent—any inhabitant “of a different judgment in matters of religion,” might maintain any other minister without molestation.

ART. V. Authorizes “a Court of Judicature” to consist of a President (who should be a Justice of the Peace) and, at least, two magistrates, a Clerk, &c., having jurisdiction over all cases involving the sum of £5 sterling and under; and also for the trial of all criminals and causes of misdemeanor—inflicting fines, and punishments such as “stocking, whipping, (not exceeding twenty stripes,) pilloring, ducking, branding, and the like.” No freeholder to be arrested and detained for debt until judgment and execution, unless it could be made to appear that he was about defrauding his creditors by leaving the country, &c.,—all fines to be disposed of for charitable or public uses.

ART. VI. Guaranties liberty of conscience according to the terms of the concessions.

ART. VII. The inhabitants to have the privilege of a free trade unburthened by any excise or tax save such as may be imposed by the Governor and General Assembly for defraying public charges.

ART. VIII. The inhabitants to join with those of other towns in repelling invasion, or attacks of Indians, but not to make war unless by consent of the Governor, Council and Assembly.

ART. IX. The freeholders to choose two deputies to the General Assembly.

ART. X. The freeholders to submit themselves to the laws and government of the province, to swear allegiance to the proprietaries, and to have full liberty to remove and dispose of their lands.

ART. XI. Provides for the general ordering of affairs for the good of the township by a majority of the freeholders.

The document concludes with a proviso that, as Amboy point was to be reserved by the Lords Proprietors “in lieu of the seventh part mentioned in the concessions,” it was understood and agreed that the nine-hundred acres of upland was to be on and about Amboy Point, as then surveyed by the Surveyer General, and for the hundred acres of meadow, (one thousand acres being the quantity reserved,) it was to be laid out in the most convenient place nearest thereto.

It was signed by Philip Carteret, Governor; James Bollen, Nicolas Verlett, Samuel Edsall, Robert Vanquellen, William Pardon, and Robert Bond; and confirmed under date of 7th September, 1672, by Lord Berkeley and Sir George Carteret themselves.

NOTE G, page 47.

THE following is a synopsis of the Bergen Charter. The preamble reads thus:

“ This Deede Witnesseth of a Charter Granted to the Towne and Frecholders of Bergen and to the Vilages and Plantations thereunto belonging Cituated and being in the Province of New Cesarea or New Jersey, By the Hon^{ble} Capt^t Phillip Carterett Esq^r Governo^r of the said Province and his Council under The Right Hon^{ble} John Lord Berkley Barron of Stratton and S^r George Carterett Kn^t and Baronet the absolute Lords Proprietors of the same, Containing the Limitts and bounds of the Jurisdiction of the said Towne together with the Immunities and Priviledges thereunto belonging and appertaining.”

ART. I. The bounds are specified, and the whole, containing 11,520 acres, transferred to the “ jurisdiction, corporation or township of the said town of Bergen; the said corporation submitting themselves to the authority of the Lords Proprietors and the government of this province.”¹

ART. II. Fifteen pounds sterling to be paid annually in lieu of the halfpenny *per acre*.

ART. III. All freeholders, living on the plantations included within the bounds of the corporation (including “ *Bergen, Ahasimus, Comunipau, Minkacque, Prenbrepock*”²) to be accounted freemen of the corporation,” &c.

ART. IV. The freeholders or a majority of them to make choice of two deputies to General Assembly.

ART. V. To choose their own magistrates, to be assistants to the President or Judge of the Court, and to nominate their Justices of the Peace and Military officers, to be commissioned by the Governor.

ART. VI. VII. To choose their own ministers, &c.—similar to the Woodbridge Charter, Arts. IV. and VI.

ART. VIII. IX. Authorized to divide off vacant lands within their bounds.

ART. X. Free trade allowed the inhabitants.

ART. XI. Inhabitants liable to be called out to repel invasion, &c.

ART. XII. To choose their own Constables.

ART. XIII. Inhabitants to submit themselves to laws of the Province and subscribe oath of allegiance.

ART. XIV. Authorizes Courts, &c., similar to Woodbridge Charter, Art. V.

¹ Controversies subsequently arose under this clause, as to the true ownership of the lands not covered by private grants, which were not definitely settled until commissioners were appointed by the Legislature for the purpose in 1764.

² On or before May 1, 1666, persons claiming “ *Pembrepow*” and “ *Menkelque*,” adjoining Constables Hook, were called upon to prove their title, or the land would be sold to others. E. J. Records, Vol. II. Lib. 3, p. 6.

NOTE H, page 48.

WILLIAM SANDFORD.—Some interest, as well as mystery, is thrown around this name by the records. Whence he came does not appear, but he was probably from the West Indies. His title of *Captain* (of the Militia) was conferred upon him July 15, 1675:—he then resided at Newark. The observation in the body of the work, respecting his contempt for office, grew out of his declination of a Councillor's appointment tendered him in 1669. His scruples however seem to have been overcome subsequently, for in 1682 he served in the Council of Deputy Governor Rudyard, and, as *Major* Sandford, in the Council of Deputy Governor Lawrie.

On 24th April, 1677, Sandford transferred to Mrs. Sarah Whartman, in trust for the use of his "eldest daughter Nedemiah, and the children naturally born of the said Sarah Whartman, viz.—Catharine, Peregrine, William, and Grace," one equal third part of all his property between the rivers, with one-third of the stock, household stuffs, &c., provided it were improved for her maintenance and the education of the said children, and the principal not disposed of in any way without his consent.¹ Whether he left the neighborhood after this or not is unknown, but the next year (August 10th) Mrs. Whartman relinquished all she had received, re-transferring it to Sandford, having of her "own head and obstinate will" violated the condition of the conveyance by removing the stock.²

These proceedings assume rather a strange aspect when considered with reference to the following fact. Sandford died in 1692, letters of administration on his estate being granted 1st September. His will was dated January 3d, 1690,³ in which he acknowledges Sarah Whartman to be his lawful wife, "some considerable reasons having engaged them to conceal their marriage," and a certificate of the marriage is annexed, signed by Richard Vernon, as having occurred "on board the Pink Susannah in the river of Surinam, the 27th March, 1667. He desires his body "to be buried, if it may be, in his own plantation, without mourning pomp, or expensive ceremonies," and implores his honored friends Col. Andrew Hamilton,⁴ Mr. James Emott,⁵ Mr. Gabriel Meenville and Mr. William Nicholls of New York, to assist and favor the concerns of a poor ignorant widow and five innocent children " [another daughter, Elizabeth, having been added to those already named], "with their best

¹ E. J. Records, Vol. II. Lib. I. part 2d, p. 86.

² E. J. Records, Vol. III. Lib. B, p. 304.

³ E. J. Records D. p. 280.

⁴ Deputy-governor.

⁵ Secretary of the province, of different courts, &c.

advice, help and council, to preserve them from those vultures and harpies which prey on the carcasses of widows and fatten with the blood of orphans." His daughter Nedemiah married Richard Berry. Catharine married Dr. Van Imburgh, and left numerous descendants, and Elizabeth became the wife of Capt. James Davis; but the fate of the other children is unknown.

MAJOR NATHANIEL KINGSLAND does not appear to have visited the province. At his death he left one-third of his New Jersey plantation to his nephew Isaac Kingsland. His children who survived him were: *John, Nathaniel, Isabella*, wife of Henry Harding, *Carolina*, wife of John Barrow, *Mary*, wife of William Walley, and *Esther*, wife of Henry Applethwaite. Isaac Kingsland resided in New Barbadoes, and was in the Council during the administration of Deputy Governors Lawrie, Lord Niell Campbell, and Andrew Hamilton. He died in January or February, 1698,¹ and left Edmund, John, Mary, Hester, Elizabeth, (which was also the name of his wife,) Frances and Isaac; some of whose descendants are yet residents of the eastern portion of the state.—His brother, Gustavus Kingsland, acted as one of his executors. A sister of Major Nathaniel Kingsland (Elizabeth) was married to a Mr. Mandeville of New-Jersey.

NOTE I, page 51.

THE following is the proclamation of Governor Carteret convening the first General Assembly in New Jersey:—from E. J. Records, Vol II. Lib. 3.

“Whereas, by the infinite goodness, providence, and blessing of Almighty God, this Province of New Jersey is in a probable way of being populated; there being a considerable number of families already settled in several parts of the same, and many more that in a short time are to come and place themselves under this government; for the better propagating and encouragement thereof, I have thought fit, with the advice of my Council, to appoint a General Assembly to begin the 25th day of May ensuing the date hereof, for the making and constituting such wholesome laws as shall be most needful and necessary for the good government of the said province, and the maintaining of a religious communion, and civil society, one with the other, as becometh Christians, without which it is impossible for any Body Politic to prosper or subsist.

“Wherefore these are in the Lords Proprietors names to will and require all the freeholders belonging to * * * to make choice and

appoint two able men that are freeholders, and dwellers within the said limits, to be your Burgesses and Representatives for you, and they being empowered by you are to make their personal appearance at Elizabethtown, the 25th day of May next as aforesaid, and there to join with me your Governor and my Council to advise in the management of the affairs that are needful and necessary for the orderly and well governing of the said province:—Hereof you may not fail, as you and every of you will answer your contempt to the contrary. Given under the seal of the Province, the seventh day of April, 1668, and in the 26th year of the reign of our Sovereign Lord Charles the Second of England, Scotland, France, and Ireland, King, Defender of the Faith, &c.

“PH. CARTERET.”

GOVERNOR CARTERET'S OFFICIAL SEAL.



NOTE K, page 53.

THE following are the messages which passed between the Governor and Council and the Assembly on the occasion referred to in the text: they show what were some of the grounds of dissension.

“The sixth of November, 1668.

“A Message sent in by the Deputies to the Governor and his Council.

“Honoured Gentlemen,

“We, finding so many and great inconveniences by our not setting

together, and your apprehensions so different to ours, and your expectations that things must go according to your opinions, though we see no reason for, much less warrant from the Concessions, wherefore we think it vain to spend much time of returning answers by writings that are so exceeding dilatory, if not fruitless and endless. And therefore we think our way rather to break up our meeting, seeing the order of the Concessions cannot be attended to."

"The Answer by the Governor and his Council.

"In answer to your last proposition, we desire you to appoint two of your deputies to consider with us, in what point we act contrary to the Concessions, it being too late to-night to entertain so long a debate, we will be ready to-morrow morning to give them a hearing, and if reason will satisfy you, we shall be very well pleased that you proceed according to the Lords Proprietors Concessions, and the trust imposed upon you, if not you may do what you please, only we advise you to consider well of your resolutions before you break up."

Copia Vera.

JAMES BOLLEN, Secretary.

[Grants and Concessions, p. 9., from E. J. Records.]

NOTE L, page 69.

THE following extracts from the New York Colonial Papers illustrate this matter of the Customs:

In a postscript to a despatch to Major Andros, from Sir John Werden, the Duke's Secretary, February 13th, 1674-5, the Governor is thus advised.

"I had almost forgot to tell you that we have as yet done nothing towards the adjusting Sir George Carteret's pretensions in New Jersey, where I presume you will take care to keep all things in the same posture (as to the Duke's prerogatives and profits,) as they were in your predecessor's time, until you shall hear of some alterations agreed to here."

In a despatch dated 31st August, 1676, he says,

"I add thus much further in relation to Sir George Carteret's Colony of New Jersey, it is that I have acquainted his Royal Highness with what Mr. Dyre wrote to me, about his late bickering with Captain Carteret, for not letting a present pass, &c. And though small matters are hardly worth the notice, especially where Sir George Carteret himself is concerned, (for whom the Duke hath much esteem and regard,) I do not find that the Duke is at all inclined to let go any part of his prerogative which you and your predecessors have all along constantly asserted in his behalf, and so, though at present in respect to Sir George

we soften things all we may, not to disturb his choler, (for in truth the passion of his inferior officers so far infects him as puts him on demands which he hath no colour of right to,) *I verily believe should his foot chance to slip, those who succeed him must be content with less civility than we show him in this point*, since that we should exercise that just authority his Royal Highness hath, without such reserves as *though intended but favours now, may if confirmed, redound too much to the prejudice of your Colony*. You will reserve what I say in this paragraph to yourself."

The above, in Italics, exhibits the germ of that hostility to the commercial prosperity of East Jersey, which was manifested when it had passed into the hands of others.

NOTE M, page 81.

THE following documents are the foundation of the letter mentioned in the text:—they are among the New York Records.

" August the 6th, (80.)

"Memorandum.

"Mr. Byllinge, for himself and others, having long insisted on their right derived from the Duke's grant to Lord Berkeley and Sir George Carteret, (as Proprietors of West New Jersey in America,) to be exempt from paying any customs or other duties, or being any ways under the jurisdiction of New York, but alleging the said West New Jersey to be wholly independent therefrom: after many hearings by the appointment of his Royal Highness, who was pleased to refer the whole matter to the decision of Sir William Jones, &c. At the last Sir William Jones gave his opinion under his own hand as followeth:

' 28th July, 1680.

"I do hereby humbly certify, that, having heard what hath been insisted on for his Royal Highness, to make good the legality of the demand of five per cent. from the inhabitants of New Jersey, I am not satisfied (by any thing I have yet heard) that the Duke can demand that or any other duty from the inhabitants of those lands. And that which makes the case the stronger against his Royal Highness is, that these inhabitants claim under a grant from his Royal Highness to the Lord Berkeley and Sir George Carteret, in which grant there is no reservation of any profit, or so much as jurisdiction.

WM. JONES.'

"In compliance to which opinion, his Royal Highness, this day, 6th August, 1680, at London, did command Sir John Werden to bring him a Deed of confirmation (or Release) tendered by Mr. Byllinge, the more

formally to convey the said West New Jersey to him and the rest of the Proprietors, and plainly to extinguish the demand of any Customs or other duties from them (save the rent reserved as at the first.) And his Royal Highness, though his Council at Law (Sir John Churchill and Sir George Jeffrey being both absent,) had neither drawn nor signed it, was pleased to execute the same accordingly, by reason that Mr. Byllinge urged the necessity of it now, to have the benefit of the ships' present voyage, some being now ready to sail unto those parts of West New Jersey above mentioned."

"These are to direct and require you to prepare for my signature a Deed, or fitting instrument, (agreeable to that I have already executed unto Edward Byllinge and others,) whereby I may release and confirm unto Sir George Carteret, the heir of Sir George Carteret, (lately deceased,) the moiety of New Jersey (called East New Jersey) in America. For which this shall be your warrant, provided it be entered with my Auditor-General within two months of its date. Given under my hand at Windsor, the 6th day of September, 1680.

"To Sir John Churchill, Knt., my Atty. Genl., to Sir George Jeffreys, Knt., my Solicer. Genl."

NOTE N, page 80.

THE following is a synopsis of the correspondence which took place previous to the dissolution of the Assembly in 1681, from the copy in the New York Colonial Papers. Chalmers had access to the document, and refers to the correspondence in his work, but its details have never before been made public.

October 19, 1681.—The Representatives desire to be informed whether they are to consider the late grant from the duke as the foundation of the government.

October 19th.—The answer returned is, that the Patent from the Duke, confirmed by the King, must be regarded as the foundation of the government. A hope is expressed that none of the bad seed sown by Sir Edmund Andros had taken such deep root as to lead to doubts on the subject, unless indeed Sir Edmund's actions were approved of by them. "Wherefore," say the Council, "we desire in the prosecution of your duties that you would fall upon something that may be for the good of the province."

October 20th.—The Council desire the Representatives to appoint a committee to meet one from their board to confer upon the matters in dispute: the conference to be that afternoon. The committee appointed by the Assembly consisted of Captain John Bowne, *Speaker*, Thomas Johnson, Edward Slaughter, or Slater, and John Elsby; the names of the Council committee are not given.

The Representatives pass a resolution that the Concessions granted by the Proprietors February 10th, 1664–5, are to be taken according to the letter without any interpretations whatever:—and, in answer to the Council's communication, the Clerk informs that body that in the inquiry first propounded they intended nothing more than to arrive at a right understanding of the matter referred to, and “deem all reflecting expressions may be forborne as not tending to peace.”

October 21st.—The Council inquire what misinterpretations have been put upon the Concessions.

October 21st.—The Representatives pronounce the “Declaration of the true intent and meaning of the Lords Proprietors, and explanation of the Concessions,” to be a breach of the Concessions; under which certain persons have presumed to act to the great prejudice of the inhabitants and settlers.

October 21st.—The Council in reply require the acts of encroachment, &c., to be specified and by whom committed.

October 22d.—The Representatives request the appointment of committees with a view of obtaining a full explanation in relation to the matters complained of.

October 22d.—The Council appoint Monday 24th, between 11 and 12, as the time for the conference, and the same committee is appointed by the Assembly, excepting John Curtis in the room of John Elsby, and an adjournment is agreed upon to Tuesday the 25th.

October 25th.—Spent in debates.

October 27th.—The representatives pronounce the Declaration and Concessions contradictory one with the other, and demand that the former be made void.

October 27th.—The Council acknowledge the receipt of the message, and say in answer: “Wee well know that the General Assembly doth not consist of you, the Deputies alone, wisdom is justified of her children and teacheth men wherein they stand distinct to answer for themselves and not for the whole: you further add that you desire and expect that the boddy of the said Instrument should be made void, as you have had the benefit of reading as well as weighing (as you say) the said Instrument. If you had also had the Benefit of understanding you would neither have desired nor expected the same to be made void.”

October 28th.—The Deputies declare that the Inhabitants of the province, are not obliged to conform themselves to the Declaration, they

having found that instrument contrary to the tenor of the Concessions. They say, in making known their objections to the Governor and Council, they, "instead of returning a positive answer doe reflect upon the ability and understanding of the Deputies, and thereby explicitly denyed the same, we are therefore necessitated in pursuance of the trust reposed in us to make this our publication against the said Declaration," &c.

The Council remind the House, "to the end that no encroachment or contradiction may be put upon the concessions," that no provision had yet been made by them for the support of the government.

October 29th.—The Council advise the House that the purpose of another conference which had been proposed was the removal, if possible, of all that obstructed the well settling of the affairs of the province.

October 29th.—The Representatives cannot discover from the Council's answer, the object of the conference.

October 29th.—The Council desire that a debate may be had of the whole General Assembly, (joint meeting,) and in another communication, [as if they themselves had just discovered it,] call the attention of the assembly to the fact that in the sixth article of the Concessions the Proprietors had reserved the right of alteration; and they say, "It is a matter of lamentation that the Representatives of the Province, should be soe short sighted that they cannot see what he which runnes may read."

October 29th.—The Deputies, in answer, doubt the correctness of the application placed upon the sixth article.

October 29th.—The Council write that they had attended at the place and time appointed for the joint meeting, but the Deputies had not attended as promised:—They say, "Had we men to doe with all that have regard to their promises, it would be a happinesse both to us and the Province, you may doe well to call it to mind that as you bare the shape of men, you should aeknowledge your error, and doe yourselves and the contrivers of the Breach soe much right as to joyne in a Debate to be held by a Committee of the whole General Assembly, upon Monday next, by 10 o'clock of the same day, to the end that every member of the General Assembly, may see with his own eyes, and hear with his own ears, the things that concern the present bleeding condition of the whole province, to which time we have adjourned."

October 31st.—The Representatives, as if impressed with the weight of the suggestions of the Council relative to the sixth article, undertake to refute them.

October 31st.—The Council again remind the House of the required provision for the support of government, "according to the concessions."

October 31st.—The Representatives answer, that they are attending to their own and the country's business—"every thing is beautiful in his season," say they.

November 2d.—The Deputies were summoned by Captain James Bollen, (the Secretary of the Province,) Captain Henry Greenland, and Mr. Samuel Edsall, to attend immediately the Governor and Council. The Speaker desired time to consider the matter; whereupon Captain Bollen declared by order of the Governor, that "this pretended house of deputies be dissolved," and left with the members a paper that objected to the stile of General Assembly assumed by the Representatives. It said, "true wisdom would teach you better manners than to stile yourselves the General Assembly. Doubtless there was no want of Ignorance and disloyalty where this Bratt had its education, inasmuch as that the General Assembly consists of the Governor, Council, and Deputies, ergo the Deputies are no General Assembly. It was Lucifer's pride that putt him upon setting himself where God never intended to set him; and his presumption produced or was forerunner of his fall; you sett yourselves where the laws of England, nor yet the Concessions of this Province, never sett nor intended to sett men that are but in private capacity, &c." They object that some of the members are not qualified, inasmuch as they hold freeholds in conformity with the concessions; and, in reference to the previous note received, they say it is evident they were "first for themselves, and then for the country:" "Private spirits in men in public employment, are the jewels that adorn your breasts."

The House of Deputies with one consent protested against the dissolution, as being contrary to the Concessions, and an innovation of the government.

Thus ended this singular correspondence, the Deputies having assuredly conducted their part of it with a much greater regard to decorum than characterized the share of the Council.

NOTE O, page 88.

It is presumed that the Deed from the Duke of York to the Twenty-four proprietaries direct, resulted from the following correspondence, taken from the New York Colonial papers:—

Extract from a letter of the Register of Scotland to Sir John Werden, the Duke's Secretary, dated December 21, 1682:—

"I did write to you formerly of our desire who are Proprietors of East Jersey, to have our grant rather holden by Charter of his Royal

Highness, than as it is at present by transmission from our Authors : without any augmentation of our privileges, but only to be under the Duke's immediate protection."

Sir John Werden's answer :

"*St. James, 4 January, 1682-3.*

"MY LORD :—I should have answered your Lordship's of 21st Dec'r sooner, but that I have waited a good opportunity to make the proposal mentioned in your letter, about the East part of New Jersey.

And now I am to desire a little farther explanation of what is aimed at in your proposal, that is, whether the proprietors of East New Jersey design to join that to New York (as heretofore) as a part of that government and so share in it by sending their Representatives to the Assembly at New York, (in such number as may be agreed on, if it be thought fit) and contributing to the public charges in proportion, &c., or else whether having their government in East New Jersey holden by charter from his Royal Highness immediately, rather than by transmission from their Authors, (as your Lordship expresses it,) and being under the Duke's protection be to be understood only of the Duke's confirmation of their rights and possessions there, as they are devised unto them from Sir George Carteret or his heirs, by virtue of the Duke's grant heretofore to him and them.

Moreover, for the ease of negotiating your affair, I desire your Lordship will appoint some one (well instructed) empowered to answer such objections as may be started by his Royal Highness's Commissioners here, when that is laid before them.

To the Rt. Honorable,
the Lord Register in Edinburgh."

NOTE P, page 88.

THE following notices of some of the twenty-four proprietaries have been compiled from various sources. Of many, however, as will be seen, no precise information has been obtained, and others are mentioned more particularly in the body of the work.

JAMES, *Earl of Perth*, was the fourth who had borne the title. He was born in 1648, went through a course of philosophy at the University of St. Andrews, and afterward visited France. He was sworn a Privy Counsellor in 1678, and after the fall of the Duke of Lauderdale (having joined in the opposition to him) he was constituted Justice

General of Scotland, (May, 1682,) and the same year was appointed one of the Extraordinary Lords of Session. On the 25th June, 1684, he was appointed, by Commission, to the high office of Chancellor of Scotland, and the same year to be also principal Sheriff of the County of Edinburgh.

Being a staunch adherent of the Stuart family, and having declared himself a Roman Catholic, he was continued in all his offices on the accession of James II. in 1685, and had the chief administration of affairs in Scotland. In 1687, he was invested with the order of the Thistle, then revived, and, as we may suppose, from a well-founded conjecture as to future events, he about the same time made a resignation of the Earldom of Perth, and of his whole estate, with the hereditary offices of Steward, Coroner, and Forester of Strathen, Genartney and Balquhiddy, in favor of his son and heirs male.

The ensuing year (1688) James abdicated the British throne, and in 1691 sought a residence in France. The Earl of Perth had been too deeply engaged in all the prominent events of his reign, to witness this departure of his sovereign unmoved. He retired from Edinburgh, and embarked in a vessel at Burnt Island for France. The lodgings he had left were plundered by the populace; and, on his flight becoming known, he was pursued by an armed boat from Kirkaldy, overtaken, stripped of all he had with him of any value, and thrown into the common prison at that place; where he lay until removed to Stirling Castle. He remained in confinement until relieved by warrant of Privy Council in 1693, on his giving bonds in the sum of £5000 to leave the kingdom.

The Earl proceeded to Rome, where he resided two years, but his dethroned monarch at St. Germain's, his place of refuge, sent for him and created him Duke of Perth,¹ first Lord of the Bedchamber, Chamberlain to the Queen, Governor of the Prince of Wales, and invested him also with the Order of the Garter:—honors of but little value, excepting as marks of the affection and consideration of his king, whom he survived more than five years: dying at St. Germain's, March 11th, 1716, aged 68. He was buried in the Chapel of the Scots College at Paris.

According to a contemporary, the Earl of Perth was "personally proud, told a story prettily, was of middle stature, with a quick look and

¹ "The Earl of Perth received the very great honor from King James at St. Germain's in France, to be created *Duke* at the expense of the ruin of himself and his family. To compliment this noble person the city of Perth was *eo* called, and it is exactly of a piece

with the proprietors' dukedom, having but 30 or 40 houses standing on Amboy Point." So wrote Oldmixon of the capital of East Jersey in his History of the British Empire in America:—much disposed apparently, to ridicule most of the schemes of the proprietaries.

brown complexion." By other writers he has been pronounced timorous and wavering.

The titles of Earl of Perth and Lord Drummond became dormant at his death, his eldest son being attainted. He married in succession Lady Jane Douglass, daughter of William, the first Earl of Douglass; Lilius, daughter of Sir James Drummond, of Maching, relict of William, fifth Earl of Tullibardine: and Lady Mary Gordon, daughter of Lewis, third Marquis of Huntley.

The Earl's eldest son was educated at Doway in France;—the house of his mother, who was a bigoted Romanist, being a sort of seminary or nursery for the priests. He was a man of taste, well acquainted with polemical divinity, benevolent, affable, and of a cheerful temperament. He never considered himself bound by any ties of allegiance, as he had never taken the oaths; and forgetting the motto of his family, "Gang warily," he involved himself in ruin by returning to Scotland a short time before the invasion of 1745, and taking an active part in the operations of Charles Edward, until the battle of Culloden in 1746 put an end to the hopes of the Stuart family. Obligated to flee, he died before he reached a foreign shore.¹

The title of the father was claimed by the heirs male, but their being all adherents to the Stuart cause was sufficient reason for a refusal² of the grant. It was restored in 1797, to James Drummond, the grandson and heir of the Earl, but he died without male issue in 1800, and, in consequence, the title became extinct. The estate, however, was saved, from its having been conveyed to the eldest son previous to the attainder of the Earl. One-half of his right in East Jersey was conveyed to others by himself in 1683 and 1684, and the remainder by his son as heir and assignee, in 1704.³ In 1813, the Scottish estate was in the possession of the Hon. Peter Robert Burrel, who married Clementina, daughter of the last Earl, who was allowed by the King to adopt the Drummond arms: which are—

Arms.—Or. Three bars wavy, gules.

Crest.—On a ducal coronet, a slouth hound proper, collared and leashed, gules.

Supporters. Two savages, proper, wreathed about the head and middle with oak leaves, holding batons over their shoulders standing upon a compartment like a green hill, semez of caltrops.

Motto—"Gang warily."⁴

¹ Boyse's Hist. of Rebellion, 1745, p. 69.

³ Bill in Chancery, p. 84.

² Thomas Drummond, son of the Earl of Perth, was in America in 1764, for the purpose of inquiring into the situation of the estate in East Jersey belonging to the family.

⁴ Wood's Peerage of Scotland, Russell's Modern Europe, Scott's Tales of a Grandfather, &c.

"JOHN DRUMMOND of Lundie," sometimes called Laird of Lundie, and styled by Grahame Lord Drummond of Gilston, was brother to the Earl of Perth, and in 1685 became Earl of Melfort. He retired to France in 1688, having for two or three years before been Secretary of State for Scotland to King James. He married twice,—the children by his first wife inheriting his Scottish property, the eldest son being styled Baron Lundie. The children by his second wife suffered by his attainder, which took place in 1695; they were four in number. Three of them died without issue. One of them became a Colonel in the French service.¹ In 1764, James Drummond, the grandson and heir of the Earl of Melfort was in America and applying for proprietary lands by right of the Earl's interest.

"ROBERT BARCLAY of Urie." Any farther notice of this gentleman than that to be found in the body of the work is unnecessary.

"DAVID BARCLAY of Urie" was a brother of the Governor, and appears to have visited the province previous to 1684.² He died however about the end of August, 1685, on his passage to East Jersey from Aberdeen, in charge of a cargo of goods on account of the proprietaries.³ His rights in the soil seem to have been inherited in whole or in part by a brother, John, who lived for many years, and died, in the province.

"ROBERT GORDON of Clunie" was one of those proprietaries who appear to have engaged in the East Jersey enterprise with no other object in view than pecuniary profit. He never came to the province, and sold his interest, one-half in 1683 and the other in 1705.

"ARENT SONMANS, of Wallingford," Scotland. This gentleman was a Hollander, residing at Rotterdam previous to his removal to Scotland. On becoming interested in New Jersey he intended visiting the province; but on his way to Scotland from London, in company with Governor Barclay, in August 1683, when passing through Hunterdonshire, he was shot by a highwayman, in his thigh, and in the course of a few days the wound proved mortal, and he was buried in Friends' Burial Ground, Hinton.⁴ He left a wife (Frances Hancock) and three children: *Peter* who came to East Jersey, and became a person of some notoriety;

¹ MS. argument of counsel, Arbitration case "Earl of Perth vs Earl of Stirling," in the author's possession.

² Scot's Model, p. 186.

³ E. J. Records A, p. 397. Stirling's Answer in Chancery. MS. in N. Y. Hist. Library.

⁴ Smith's N. J. p. 425. MS. Ar-

gument Earl of Perth vs. Earl of Stirling. Stirling's Bill vs. Hunt. This last authority says Sonmans was robbed of his papers; but it was thought by some that he was killed by an emissary from Holland, on account of political matters.

Rachel, the wife of Joseph Ormston, and *Joanna*, wife of Joseph Wright. The greater portion of Arent Sonmans' estate descended to his son.

"WILLIAM PENN, of Worminghurst, Sussex." It is unnecessary here to portray the character or to sketch the life of one so well known. His right in East Jersey was one of the few that remained unlesened through all the changes and vicissitudes in the province, and descended at his death to his heirs. Penn does not appear to have taken any active part in the administration of the government of the province, his whole attention being engrossed by Pennsylvania.

"ROBERT WEST, Middle Temple, London," was a lawyer by profession, and is characterized by Graham as having obtained "so much infamous distinction as a witness for the crown on the trial of Lord Russell," one of the Lords concerned in the "Rye House plot." West was implicated, but gave testimony against his companions. It may be seen at length in "A true account of, and papers relating to the horrid conspiracy against the late King, fol. 1685." He is there mentioned (p. 25) as one of five republican lawyers, whose hatred of the government caused to be factious against the known interests of their own profession. "They were all men of crafty heads and nimble tongues, restless spreaders of false news, bold talkers in seditious clubs; where, according to the corrupt fashion of these times, the most profligate persons of all conditions were wont openly to arraign the monarchy, and vilify the church, under the fair show of amending both, and a tender concernment for the public good."

His propriety right was soon parted with, being transferred to Thomas Cox the same year it was obtained; but in 1692, he received a grant from the proprietaries for nine hundred and sixty acres "out of a Grateful sense of ye good services," as they say, "done to the Concernes of ye said Province by Robert West Esq'r. and particularly of Late in asserting their Right to the Government thereof and do rely upon his future Endeavours to do all the good Offices for the Same that fall in his way."¹

It is not known that any of Mr. West's family ever came to east Jersey.

"THOMAS RUDYARD, London, Gentleman," the first Deputy-Governor of the province under Barclay, is particularly noticed elsewhere.

"SAMUEL GROOME, Mariner of Stepney," is mentioned in the foregoing pages, as accompanying Deputy-Governor Rudyard to the province in 1682. He had made a voyage to Maryland in 1676, in a vessel

¹ E. J. Records.

of his own, returning by the way of West Jersey,¹ which may account for his subsequent connection with the eastern proprietaries. His letters, preserved in Scot's Model, indicate that he was much pleased with the appearance of the province, and indulged many pleasing anticipations of the growth and prosperity of its embryo capital, which he did not live to see realized, as he died in 1683: leaving on the stocks, unfinished, *the first vessel built in East Jersey*. He left a wife (*Elizabeth*), and one son, (*Samuel*), but neither of them came to the province.

The son seems to have had the control of his father's property, even during his life time; for the proprietaries in July, 1683, writing to Lawrie, say that Groome may feel disposed to return to England, when he should hear of the great inclination shown by the son to sell his father's propriety.² He probably did sell it, as it was transferred to Wm. Dockwra the same month.

"THOMAS HART, of Enfield, Middlesex, Merchant." This was another proprietary who preserved his right unimpaired; and it descended, subsequent to 1700, to a sister Patience Ashfield, whose grandson and heir, Richard Ashfield, came to the province, and was appointed, September 1725, Receiver-General of the Board of Proprietors. A descendant of Hart's, by the name of Bland, also became a resident of the province in 1767.

"RICHARD MEW, of Stepney, Middlesex, Merchant."

"THOMAS COOPER, Citizen and Merchant Tailor of London."

"AMBROSE RIGG, of Catton place, Surry, Gentleman."

"JOHN HAYWOOD, Citizen and Skinner of London."

These four very soon parted with their respective rights, (excepting one-half of Cooper's, which was retained until 1706,) and took no interest in the province. Nothing is known of them save the simple annunciation, as above, of their occupation and place of residence.

"HUGH HARTSHORNE, Citizen and Skinner of London."

In 1766, an applicant for the proprietary right of Mr. Hartshorne,³ in the person of John Hunt, made his appearance in New Jersey; and through him were some items respecting the family made public.

Hugh Hartshorne was an "upholsterer" of Houndsditch—a member of any one company being at liberty to engage in any business. He was

¹ Smith's N. J. p. 80.

² Grants and Concessions, p. 176.

³ A suit in Chancery was the result;

the title to Hartshorne's right having been previously acknowledged by the Board to be vested in others.

admitted to the freedom of the Skinners' Company August 1st, 1654, and died 25th April, 1684, aged 55. He left four sons, *Hugh, Harrison, Edward* and *Thomas*. Hugh, the eldest, was sexton of St. Botolph Aldgate, and died Nov. 28th, 1706, intestate, leaving two sons, *Harrison* and *Hugh*. The first died August 5th, 1719, leaving one son who died without issue; the second died July 9th, 1741, leaving *Hugh Hartshorne*, mariner, his son and heir, who died in 1745, unmarried, leaving all his property to his sister *Sarah Hartshorne*, who married George Saunders, and in January, 1765, sold her proprietary right to John Hunt.

“CLEMENT PLUMSTEAD, Citizen and Draper of London.”

In 1683, one-half of his right was conveyed away, but the other descended to his heir, and by him, in 1715, was transferred to a relative, of the same name as the proprietary, then residing in Philadelphia, and from whom the Plumsteads in that quarter are descended. Nothing is known by the writer of the first Clement. One of the original deeds from James to the twenty-four proprietaries was given to the state in 1837, by Lieut. Plumstead, of the U. S. navy, a descendant.

“GAWEN LAWRIE, of London, Merchant,” has been particularly noticed on previous pages.

“EDWARD BYLLINGE of the City of Westminster, Middlesex, Gentleman,” very soon after securing his interest, sold it to Daniel Cox, of West Jersey. Byllinge was the purchaser of that province from Lord Berkeley, and nine-tenths of it eventually passed into the hands of Penn, Lawrie and Lucas, as trustees for the benefit of his creditors generally: being “all that he had left him towards their satisfaction:”—a security now most ample for a much larger sum than the total amount of his debts, which came to about thirty thousand pounds sterling. It is thought he came to West Jersey previous to 1683, as in that year he received a grant of four acres of land in Burlington, for his own residence. He died in 1687.

“THOMAS WARNE, of Dublin, Merchant,” sold two-thirds of his interest in 1682, and the remaining third descended to his son Stephen Warne, who, with his brother Thomas Warne, came to East Jersey in 1683; arriving in March, with eleven servants. Stephen was among the early settlers of Perth Amboy; and Thomas, who was styled “Carpenter,” took up his abode in Monmouth County.

“WILLIAM GIBSON, Citizen and Haberdasher of London,” died previous to 1689, and his interest was disposed of by his heir.

“ROBERT TURNER, of Dublin, Merchant,” never took any interest in the province, and sold most of his property in 1685.

“THOMAS BARKER, of London, Merchant,” sold one-half of his right in 1683, and the remainder descended to his widow, who effected a sale of it in 1713. None of the family ever visited the province.

“JAMES BRAINE, of London, Merchant,” continued to hold his interest in the province, without visiting it, until his death in 1690, when it was inherited by three sons. It remained in their possession for several years, but whether or not they came to East Jersey in person is not known.

NOTE Q, page 90.

MR. GRAHAME, in his History of the United States, has so well stated the grounds of the connection which existed between the Court and the Quakers, that no apology is necessary for introducing the passage here. He says:

“It is not difficult to understand how a friendly intercourse originated between the leading persons among the Quakers, and Charles the Second and his brother. The quakers desired to avail themselves of the authority of the king for the establishment of a general toleration, and for their own especial defence against the enmity and dislike of their numerous adversaries. The king and his brother regarded with great benevolence the principles of non-resistance professed by these sectaries, and found in them the only class of Protestants who could be rendered instrumental to the design of re-establishing popery by the preparatory measure of a general toleration.” * * * * *

“They hoped to make an instrument of the king: while he permitted them to flatter themselves with this hope, that he might avail himself of their instrumentality for the accomplishment of his own designs.”

“Perhaps, since the days when the prophets of Israel were divinely commissioned to rebuke their offending monarchs, no king was ever addressed in terms of more dignified admonition than Robert Barclay has employed in concluding the dedication of his famous “Apology for the Quakers” to Charles the Second. ‘There is no king in the world,’ he bids the monarch remember, ‘who can so experimentally testify of God’s providence and goodness, neither is there any who rules so many free people, so many true Christians: which thing renders thy government more honorable, and thyself more considerable, than the accession of many nations filled with slavish and superstitious souls. Thou hast tasted of prosperity and adversity; thou knowest what it is to be banished thy native country and to be overruled, as well as to rule and sit upon the throne; and, being oppressed, thou hast reason to know how

hateful the oppressor is both to God and man. If, after all these warnings and advertisements, thou dost not turn unto the Lord with all thy heart, but forget him who remembered thee in thy distress, and give thyself up to follow lust and vanity, surely great will be thy condemnation.' Yet, Charles gave himself up to lust and vanity, without apprehending or experiencing any diminution of the regards of his Quaker friends; and the falsehood and cruelty that stained the conduct of both Charles and James rendered them hateful to all men except the Catholics and Quakers."

This fact, the historian remarks, led their contemporaries to consider the Quakers, at bottom, the votaries of popery and arbitrary power; he conceives a juster and more charitable censure to be that they were the dupes of kingly courtesy, craft, and dissimulation. [Vol. II. p. 615. Edit. 1837.]

NOTE R, page 101.

As the twenty-four proprietaries appear to have formed high anticipations of the beneficial tendency of the "Fundamental Constitutions" they proposed, a synopsis of them is here given, although they were never in force in the province; in order that they may be compared with the Concessions, which they were intended to supersede.

ART. I. Provided for the election of a governor on the death or dismissal of Robert Barclay. Each of the proprietors to propose a candidate, and the one receiving the nomination of sixteen to be appointed for three years; and the actors in any scheme to lengthen his term to be considered public enemies and betrayers of the liberties of the province.

ART. II. The government of the province was to consist of a Great Council, composed of the twenty-four proprietaries, or their proxies, and one hundred and forty-four of the freemen of the province: but inasmuch as the towns were yet few, &c., twenty-four for the towns, and forty-eight for the counties, making with the proprietaries ninety-six persons, should constitute the council until the larger number should be deemed necessary; one-third of the members to be chosen annually, to serve three years, and not to be eligible for re-election until two years had elapsed.

ART. III. Persons qualified as freemen were such as had in possession fifty acres of land, (ten of them cleared and cultivated,) and inhabitants of the province. If residing in boroughs, a house and three acres were requisite; or, should a hired house and lot be occupied, the

possession of fifty pounds' worth of stock. The mode of election prescribed was, to put into a box the names of all qualified persons in the county, and fifty were to be drawn out; these fifty were then to be returned to the box, and the first twenty-five subsequently drawn were to be those from whom the persons whose names remained in the box, were to nominate twelve or eight, (according to the number eventually to be elected,) *from which number* the election was to be made by ballot. The nominators were obliged solemnly to declare before the Sheriff that they would not name any one known to them to have been guilty, for a year previous, of drunkenness, lewdness, or any such immorality, or who should be insolvent or a fool.

ART. IV. A quorum of the Council was to consist of half of the proprietaries, or their proxies, and half of the freemen; the votes of half the proprietaries and two-thirds of the freemen being necessary to pass a law.

ART. V. For the constant government of the province, a Common Council was to be created,—composed of the proprietaries and twelve freemen to be balloted for out of the Great Council,—to act with the Governor.

ART. VI. All laws were to be published in the name of the “Governor, Proprietors, and Representatives of the Freemen of the Province;” and to be signed by the Deputy Governor, Secretary, two Proprietors, and two Freemen.

ART. VII. The Concessions of the former Proprietaries relating to bearing arms, &c., were modified so as not to have them obligatory upon those who conscientiously considered themselves prohibited from the use of weapons: “Among the present proprietors there being several that declare they have no freedom to defend themselves with arms.”

ARTS. VIII. and IX. The appointment of Secretary, Register, Treasurer, Surveyor General, Marshal, Sheriffs, Judges and Justices of the Peace, was confided to the Common Council and Governor; excepting the magistrates, &c., of Boroughs, who were to be appointed in accordance with the directions of the Great Council.

ART. X. The power of pardoning to be exercised only by the assenting votes of eighteen proprietaries.

ART. XI. The proprietaries might vote in both Councils by proxy.

ART. XII. Proprietaries holding offices of trust only allowed to sit in the Councils by proxy.

ART. XIII. One-fourth of a propriety must be held to allow the person to retain his right of government.

ART. XIV. In all civil and ordinary actions, the proprietaries were to be liable to prosecution and punishment as all other persons, but for capital offences they were to be tried by twelve of their own body, or their proxies; the bill of indictment being first found against them by a

grand jury of twelve proprietaries and twelve freemen chosen by ballot.

ART. XV. No proprietary was to hold more than one twenty-fourth of the province.

ART. XVI. Freedom of religious opinion was guaranteed to all acknowledging one Almighty and Eternal God, and none to be compelled to frequent or maintain any religious worship, place, or minister; faith in Christ being made a necessary qualification for membership of either Council. This religious liberty, however, was not to extend to the avowal of atheism, or irreligiosity, or to those who indulged in the practice of profanity, drunkenness, lewdness, murdering or any kind of violence, or "indulgence of stage plays, masks, revels," &c.

ART. XVII. After 1685 no person was to hold more than one office.

ART. XVIII. A registry for charters, rights, marriages, births, burials, servants, &c., was to be established.

ART. XIX. Trial by jury was guaranteed. Before the complaint of any person could be received, he should solemnly declare in court that he believed in his conscience his cause to be just. A court of appeals was established composed of four proprietaries and four freemen, the Governor to be President of it *pro tem*.

ART. XX. Marriages not forbidden by the law of God might be solemnized, with the knowledge of parents or guardians and public notice, in the presence of creditable witnesses, "by taking one another as husband and wife," and filing a proper certificate of it, signed by the parties and witnesses, with the Register.

ART. XXI. A solemn promise to speak the truth, was to be required from witnesses testifying in courts of justice.

ART. XXII. Fourteen years' possession to give an unquestionable title to lands, excepting against infants, lunatics, &c.; and estates forfeited for treason to the crown of England, or to the province, might be redeemed by the nearest of kin in two months after the death of the criminal, with not more than one hundred pounds, nor less than five pounds, as the Great Council might decide, &c.

ART. XXIII. No law to be in force more than fifty years—"to avoid an innumerable multitude of statutes"—excepting the "fundamental constitutions," which were not to be repealed except with the approbation of twenty-two proprietaries and sixty-six out of seventy-two, or one hundred and thirty-two out of one hundred and forty-four freemen.

ART. XXIV. The Governor, members of the Councils, and other officers, before they entered upon their duties, were solemnly to promise and subscribe to be true and faithful to the King of England and to the proprietaries, and faithfully to perform their duties.

NOTE S, page 103.

As the publication referred to in the text, was influential in inducing emigration to East Jersey, and is now only to be met with in Smith's History, it is thought advisable to reprint it here; as it is one of the earliest published descriptions of the province.

“A BRIEF ACCOUNT OF THE PROVINCE OF EAST JERSEY IN AMERICA, published by the present proprietors, for information of all such persons who are or may be inclined to settle themselves, families and servants in that country. A. D. 1682.”

“To say any thing in the praise, or much in the description of a country so well known, would seem needless. The late accounts and descriptions of the adjacent countries, West Jersey and Pennsylvania, which are much of the same nature, &c., might suffice; but considering that in foreign colonies, yea, here in England, every particular county has some excellency in soil, product or situation, that affect and delight many persons beyond the places adjacent, we may for the satisfaction of such, give some brief account thereof.

First. This province or colony lies between thirty-nine and forty-one degrees of latitude, being about twelve degrees more to the south than the city of London; and is bounded south-east by the main sea, east by that vast navigable stream called Hudson's river, which divides this from the province of New York; west by a line of division, which separates this province from West Jersey; and south upon the main land; and extends itself in length on the sea coast, and along Hudson's river, one hundred English miles, and upwards.

Second. The conveniency of situation, temperature of air, and fertility of soil, is such, that there no less than seven considerable towns, viz., Shrewsbury, Middletown, Bergen, Newark, Elizabethtown, Woodbridge and Piscataway; which are well inhabited by a sober and industrious people, who have necessary provisions for themselves and families, and for the comfortable entertainment of strangers and travellers; and this colony is experimentally found generally to agree with English constitutions.

Third. For navigation, it hath these advantages, not only to be situate along the navigable part of Hudson's river, but lies also fifty miles on the main sea; and near the midst of this province is that noted bay for ships, within Sandy Hook, very well known not to be inferior to any harbour in America, where ships not only harbour in greatest storms, but there ride safe with all winds, and sail in and out thence as well in winter as summer.

Fourth. For fishery, the Sea Banks there are very well stored with variety of fish for not only such as are profitable for transportation, but such also as are fit for food there, as whales, cod-fish, cole and hake fish, large mackerell, and also many other sorts of flat and small fish. The bay also, and Hudson's river, are plentifully stored with sturgeon, great bass, and other scale fish, eels and shell fish, as oysters, &c., in great plenty, and easy to take.

Fifth. The country is also plentifully supplied with lovely springs, rivulets, inland rivers and creeks, which fall into the sea and Hudson's river; in which is also much plenty and variety of fresh fish and water-fowl.

Sixth. There is great plenty of oak timber, fit for shipping, and masts for ships, and other variety of wood, like the adjacent colonies, as chesnut, walnut, poplar, cedar, ash, fir, &c., fit for building within the country.

Seventh. The land or soil (as in other places,) varies in goodness and richness, but generally fertile; and with much smaller labour than in England it produceth plentiful crops of all sorts of English grain, besides Indian corn, which the English planters find not only to be of vast increase, but very wholesome and good in its use; it also produceth good flax and hemp, which they now spin and manufacture into linen cloth. There is sufficient meadow and marsh to their upland; and the very barrens there as they are called, are not like some in England; but produce grass fit for grazing cattle in summer season.

Eighth. The country is well stored with wild deer, conies, and wild fowl of several sorts, as turkeys, pigeons, partridges, plover, quails, wild swans, geese, ducks, &c. in great plenty; it produceth variety of good and delicious fruits, as grapes, plums, mulberries, and also apricots, peaches, pears, apples, quinces, water melons, &c., which are here in England planted in orchards and gardens; these, as also many other fruits, which come not to perfection in England, are the more natural product of this country.

Ninth. There is also already great store of horses, cows, hogs, and some sheep, which may be bought at reasonable prices, with English monies or English commodities; or man's labour, where money and goods are wanting.

Tenth. What sort of mines or minerals are in the bowels of the earth, after time must produce, the inhabitants not having yet employed themselves in search thereof; but there is already a smelting furnace and forge set up in this colony, where is made good iron, which is of great benefit to the country.

Eleventh. It is exceedingly well furnished with safe and convenient harbours for shipping, which is of great advantage to that country, and affords already for exportation, great plenty of horses, and also

beef, pork, pipe staves, boards, bread, flour, wheat, barley, rye, Indian corn, butter and cheese, which they export to Barbadoes, Jamaica, Nevis, and other adjacent Islands, as also to Portugal, Spain, the Canaries, &c. Their whale oil and whale finns, beaver, mink, and raccoon and martin skins, (which this country produceth,) they transport for England.

Twelfth. The situation and soil of the country may invite many who are inclined to transport themselves into those parts of America: for,

1. It being considerably peopled, and situate on the sea coast, with convenient harbours, and so near adjacent to the province of New York and Long Island, being also well peopled colonies, may be proper for merchants, tradesmen, and navigators.

2. Its likewise proper for such who are inclined to fishery, the whole coast and very harbours' mouths being fit for it, which has been no small use to the New England people, and may here be carried on also with great advantage.

3. For its soil, its proper for all industrious husbandmen, and such, who by hard labour here, on rack rents, are scarce able to maintain themselves, much less to raise any estate for their children, may, with God's blessing on their labours, there live comfortably, and provide well for their families.

4. For carpenters, brick-layers, masons, smiths, mill-wrights, and wheel-wrights, bakers, tanners, taylors, weavers, shoemakers, hatters, and [all or most handicrafts, where their labour is much more valued than in these parts, and provisions much cheaper.

5. And chiefly for such of the above mentioned or any other, who, upon solid grounds and weighty considerations, are inclined in their minds to go into those parts; without which their going there cannot be comfortable, or answer their expectation.

Thirteenth. The Indian natives in this country are but few comparative to the neighbouring colonies; and those that are there, are so far from being formidable or injurious to the planters and inhabitants, that they are really serviceable and advantagious to the English, not only in hunting and taking the deer and other wild creatures, and catching of fish and fowl fit for food, in their seasons, but in the killing and destroying of bears, wolves, foxes, and other vermine and peltry, whose skins and furs they bring the English, and sell at less price than the value of time an Englishman must spend to take them.

Fourteenth. As for the constitutions of the country, they were made anno dom 1664, and in the time of John Lord Berkely, and George Carteret, the late proprietors thereof; in which such provision was made for liberty in matters of religion, and property in their estates; that under the terms thereof, that colony has been considerably peopled, and

that much from the adjacent countries, where they have not only for many years enjoyed their estates, according to the concessions; but also an uninterrupted exercise of their particular persuasions in matters of religion; And we the present proprietors do determine, so soon as any persons here in England, or elsewhere, are willing to be engaged with us, we shall be ready and desirous to make such further additions and supplements to the said constitution, as shall be thought fit, for the encouragement of all planters and adventurers, and for the further settling the said colony with a sober and industrious people.

Fifteenth. Having with all possible brevity, given an account of the country, we shall say something as to the disposition of lands there.

1. Our purpose is, if the Lord permit, with all convenient expedition, to erect and build one principal town; which by reason of situation, must in all probability be the most considerable for merchandise, trade, and fishery, in those parts; it is designed to be placed upon a neck or point of rich land called Ambo Point, lying on Raritan river, and pointing to Sandy Hook bay, and near adjacent to the place where ships in that great harbour commonly ride at anchor; a scheme of which is already drawn, and those who shall desire to be satisfied therewith may treat for a share thereof.

2. As for encouragement of servants, &c., we allow the same privileges as were provided in the concessions at first.

3. Such who are desirous to purchase any land in this province free from all charge, and to pay down their purchase moneys here, for any quantities of acres; or that desire to take up lands there, upon any small quit rents, to be reserved; shall have grants to them and their heirs on moderate and reasonable terms.

4. Those who are desirous to transport themselves into those parts before the purchase, if any thing there present to their satisfaction, we doubt not but the terms of purchase will be so moderate, equal, and encouraging, that may engage them to settle in that colony.

Our purpose being with all possible expedition to dispatch persons thither, with whom they may treat; and who shall have our full power in the premises.

As for passage to this province, ships are going hence the whole year about, as well in winter as summer, Sandy Hook bay being never frozen. The usual price is five pounds per head, as well masters as servants, who are above ten years of age, all under ten years and not children at the breast, pay fifty shillings; sucking children pay nothing; carriage of goods is usually forty shillings per ton, and sometimes less, as we can agree; the cheapest and chiefest time of the year for passage, is from midsummer till the latter end of September, when many Virginia and Maryland ships are going out of England into those parts;

and such who take then their voyage, arrive usually in good time to plant corn sufficient for next summer.

The goods to be carried there are, first, for people's own use, all sorts of apparel and household stuff, and also utensils for husbandry and building: secondly, linen and woollen cloths and stuffs, fitting for apparel, &c., which are fit for merchandize and truck there in the country, and that to good advantage for the importer, of which further account will be given to the enquirer.

Lastly. Although this country, by reason of its being already considerably inhabited, may afford many conveniences to strangers, of which unpeopled countries are destitute, as lodging, victualing, &c., yet all persons inclining into those parts must know, that in their settlement there they will find their exercises; they must have there winter as well as summer, they must labour before they reap, and, till their plantations be cleared (in summer time) they must expect (as in all those countries) the musketos, flies, gnats, and such like, may in hot and fair weather, give them some disturbance, where people provide not against them, which as land is cleared are less troublesome.

And all such persons who desire to be concerned, may repair to Thomas Rudyard or Benjamin Clark, in George Yard, in Lombard street; where they may view the constitutions, the scheme of the intended town, the map of the country, and treat in terms of purchase. William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Thomas Willcocks, Ambrose Rigg, John Heywood, Hugh Hartshorne, Clement Plumstead, Thomas Cooper, are the present proprietors of East Jersey; but their purpose is to take in twelve persons more, to make up the number of proprietors twenty-four.

PROPOSALS by the proprietors of East Jersey, in America, for the building of a town on Ambo Point, and for the disposition of lands in that province; and also for encouragement of artificers and labourers that shall transport themselves thither out of England, Scotland, and Ireland.

Forasmuch as Ambo Point, is a sweet, wholesome, and delightful place, proper for trade, by reason of its commodious situation, upon a safe harbour, being likewise accommodated with a navigable river, and fresh water, and hath by many persons of the greatest experience, and best judgment, been approved for the goodness of the air, soil, and situation.

We, the proprietors, purpose by the help of Almighty God, with all convenient speed, to build a convenient town, for merchandise, trade and fishery, on Ambo Point; and because persons that hath a desire to plant there, may not be disappointed for want of proposals, we, the proprietors, offer these following:

First. We intend to divide fifteen hundred acres of land upon Ambo Point, into one hundred and fifty lots ; which lots shall consist of ten acres the lot ; one hundred of the lots we are willing to sell here, and fifty we reserve for such as are in America, and have long desired to settle there.

Secondly. The price of each lot will be fifteen pounds sterling to such who purchase before the 25th of December, 1682 ; and to such who purchase afterwards, before the 25th of December, 1683, twenty pounds sterling.

Thirdly. Every lot is to be as equally divided as the goodness of the place doth require, and the situation can admit.

Fourthly. The most convenient spot of ground for a town, shall be divided into one hundred and fifty equal shares, and set out into streets, according to rules of art ; and no person shall be preferred before another in choice ; whether purchaser or proprietor.

Fifthly. We reserve four acres for a market place, town house, &c., and three acres, for public wharfage.

Sixthly. Each purchaser is obliged to build a dwelling house in the place designed for the town, and to clear three acres of upland, in three years, or else the proprietors to be reinstated in such lots wherein default is made, repaying the purchase money.

Seventhly. We the proprietors do within a year, hope, by God's assistance, to build for each of us, one house upon Ambo Point ; which we intend shall stand in an orderly manner, according to the best and most convenient model, and in pursuance of the design of the propositions abovesaid.

Eighthly. And for the encouragement of carpenters, joiners, brick and tile makers, bricklayers, masons, sawyers, and labourers of all sorts, who are willing to go and employ themselves and servants, in helping to clear ground, and build houses upon the general account of and for the proprietors,

The said proprietors will engage to find them work, and current pay for the same, in money or clothes, and provisions of which there is plenty (as beef, pork, corn, &c.,) according to the market price at New-York, during the space of one year at least, next after the 25th of December 1682 ; in which time, (through God's blessing and their industry,) they may have got wherewith to buy cows, horses, hogs, and other goods, to stock that land, which they in the mean time may take up, according to the concessions ; neither shall such persons pay rent for their said land, so long as they are employed in the proprietors' work ; and their wages shall at all times be so much as other such artificers and labourers, in the said province usually have ; nor shall they be obliged to work for the proprietors longer than they find encouragement so to do.

Ninthly. And for the more ready and certain employing those workmen and labourers that shall transport themselves to East Jersey, this is to let all labourers and persons that shall transport themselves know, they must upon their arrival upon that place, repair to the register of the above said province, and enter themselves according to their respective qualities and designs, and thereupon they shall be entered into the service and pay of the proprietors.

FOR DISPOSITION OF LAND IN EAST JERSEY.

THE governor of East Jersey, by and with the advice of his council, is to direct that all lands to be set and laid out for counties, tribes, cities, or parishes, according to the general concessions of the said province, be bounded and set in manner following, viz. : That all such lands be divided into seven equal lots or parts ; one of which seven parts is to be first set out by lot for the use of the proprietors ; and the other six parts to be taken up according to the following concessions :

First. That the planting of the said province may be the more effectually promoted, We do hereby grant unto all persons who shall transport themselves, their wives or children, unto East Jersey, and settle there according to the following concessions, by the 25th of December, 1684. twenty-five acres of land for each head, whether wife, child, or servant, which servant shall be bound to serve the term of three years at least within the said province ; and for every such master of a family, fifty acres ; the said persons so imported are to be registered in the secretary's book of entries, to be kept for that purpose, and the imported to pay to the secretary for fees of attending that service, and entering them, twelve pence each head ; and every servant, male or female, who shall be so imported and registered by the twenty-fifth of December, 1684, shall, at the expiration of that time, have liberty to take up the quantity of thirty acres for their own use ; and all the aforesaid importers, and persons imported, who are hereby allowed to take up land, shall have and enjoy the same, under the terms and concessions following :

Secondly. Forasmuch as this province is already considerably peopled and improved, (there being seven towns at least already settled upon it by English people,) and that no person is constrained by our concessions, to take up and pay for land which is barren and unprofitable ; nor can it be reasonably supposed, that people should in this province, be now exposed to the like hazards and difficulties that others must look to meet with in those plantations that are less inhabited and more remote, and for situation by sea and land, not so commodiously placed for trade : Therefore we think it very reasonable and moderate, that all and every person and persons, shall have his and their respective quantities of land set out at two pence an acre, yearly rent, to be

paid into our receiver's office, either in money sterling, or in such commodities as the growth of trade of the province affords at the merchants' price there; but whosoever is willing to buy off his yearly rent, and become a freeholder, may so do, paying after the rate of twelve years purchase, which comes to fifty shillings for a lot of twenty-five acres, and so paying after the same rate for a greater or less quantity.

Thirdly. And forasmuch as it will be most commodious for planters to live together, whereby they may be a meet help to each other; It is ordered that all the purchasers and takers up of land, shall sit down by some village or township already laid out, or to be laid out hereafter, in the said province, and having chosen the village or township, which shall be most convenient and profitable for their business, the surveyor general shall set forth to the said persons, such quantity of lands, to them granted out of the aforesaid six parts, which are not then taken up; they paying to the said surveyor general, the usual rate of surveying in the said province; and if any person going or sending over, is willing to have a greater parcel of land than twenty-five acres, he may purchase, but not more than one hundred acres; he paying down, at the sealing of his grant, for the same, after the rate of ten pounds by the hundred acres; and so more or less for a greater or lesser quantity.

Fourthly. And if any person is willing to buy land, and yet for the present is not disposed to plant there; he may so do, paying down here for his grant to the proprietors, according to the rate aforesaid. Provided, that all those persons, who by these concessions shall take up land, be enjoined to build one dwelling house, on some part of their land, within the space of seven years, next after the 25th of December, 1682; and in case of default, one half of their land to return back to the proprietors.

NOTE T, page 107.

GOVERNOR DONGAN was accused by the Scotch proprietors of endeavouring to subvert their authority in East Jersey, but appears to have exonerated himself from the charge, excepting so far as a recommendation of a change of government went. The correspondence between them is in the New York Colonial Papers, and as it serves to throw some light upon the history of that period, it is here given as it appears in Chalmers' Annals.

Letter from three Jersey Proprietors to Governor Dongan.

"SIR—We did promise ourselves in you a good and kind neighbour both judging you would have so inclined to a colony wherein we are so

much concerned, and that the regard you have to your master's honor and interest would have obliged you to it; considering we are such as have the happiness to claim an interest in his favor.

"We have discoursed with his commissioners at London of those things that were by you proposed in relation to the bringing our colony under the government of New York, and doubt not but we have convinced them of the reason which induced us not to yield to such a proposal: and we doubt not both the Duke and they are fully convinced of our right in every respect, both of government, ports, and harbors, free-trade, and navigation. And, having conversed with the Duke, we found him very just and to abhor the thoughts of allowing any thing to be done contrary to what he hath past under his hand and seal; and we persuade ourselves you will lay aside all thoughts of attempting what may reflect upon the justice or honor of your master, or may give us just reason to complain; since there shall be nothing wanting on our part that may tend to any advantageous correspondence; which, as we expect from you, so shall be seriously recommended by us to our agents and always entertained by your assured friends and servants.

PERTH,
GEO. McKENZIE,
DRUMMOND."

"Edinburgh, 22d August 1684.

Governor Dongan's Answer.

"MY HONORED LORD—I had the honor of a letter from you and some other proprietors of East Jersey, and am mightily surprised to find that I am accused to act some things to the disadvantage of your colony and dishonor of my master: did I know my accusers and the crime objected I could be better able to answer.

"Your Lordship may believe me, I have acted nothing unjustly to the prejudice of your agents or people: so far from it that, when I found them take wrong measures I advised them for the best, as I thought, both for the proprietors and people. What complaints they make of me I know not, but am sure the people cry out very much against them. What I wrote to his royal highness and his commissioners as his servant I was certainly obliged to, and to give my opinion what is convenient for the interest of this province; and I believe, had your Lordship been in my station, you would have represented the great inconveniency of having two distinct governments upon one river; yours having the advantage of being some leagues nearer the sea than we are.

"Your agents have dispersed printed papers, to the disturbance of the inhabitants of Staten Island, which hath been in possession of his royal highness above twenty years, (except the little time the Dutch had it,)

purchased by Governor Lovelace of the Indians in the time of Sir George Carteret, without any pretences, till your agents made claim of it. It is peopled with above two hundred families.¹ To convince your Lordship that I have done nothing amiss in writing how convenient it would be to regain East Jersey, I do assure you that some of the proprietors themselves are of the same opinion, and have told me so. And to shew your Lordship how favorably I act, I am informed that, in the time of other governors, ships that came to Amboy made entry at New York, yet during my time, several ships have gone thither and I have desired no such thing, nor will I, till I am assured of his royal highnesses pleasure. It shall not be my fault if there be not an advantageous correspondence.

"I had almost forgot to tell your Lordship, that to the end a fair correspondence may be preserved between these governments, in an act lately made by the assembly, amongst other things, almost equal privileges were allowed to East Jersey with this province, and all the thanks I have is to be misrepresented, who will always endeavor to prove that I am

THO: DONGAN."²

"*New York, 13th February 1684-5.*"

The exact purport of the suggestions made by Dongan, referred to in this correspondence, has not been ascertained; it is presumed however to have been similar to that of those made subsequently; to which, as they evidently had an influence on after events, reference will here be made.

Sir John Werden, in a letter to Governor Dongan, under date of August 27th, 1684, writes as follows: "You say Captain Billop will sell

¹ Reference to the E. J. Records, A. p. 2, will show that Lady Elizabeth Carteret directed Secretary Bollen, March 28th, 1681, to present a claim for this island. "You are to Lay Claim to Staten Island as belonging to Us according to his Royall Highnesses Grant." Although always in the possession of New York, the question of jurisdiction remained a mooted point until 1836, when the water boundary between the two states was settled by commission. Sir John Werden, writing to Governor Dongan, November 1, 1684, says, "Staten Island without doubt belongs to the

Duke, for if Sir George Carteret had had a right to it that would have been long since determined."

² Chalmers conjectures that this answer, indicating too much lukewarmness in the Duke's service, tended to Dongan's recall through the use made of it by his opponents; but it is more probable his being superseded was owing to an idea entertained by James that he wanted zeal for his religion, in not rendering the Roman Catholic faith as prominent in the province as was desirable. (See Grahame's U. S. and Dunlap's New York)

his plantation on Staten Island,¹ and if he does, certainly 'tis best that you endeavor to procure some inhabitant of New York rather to buy it than suffer any of those of New Jersey to do it; but whoever buys land in that island, it being under your government, he must be liable (as well as others) to the laws thereof."

Extract of a letter from Governor Dongan to Sir John Werden, dated February 18th, 1684-5. "Billop's plantation is opposite to Amboy, and, if vessels be permitted to come there and not enter at New York, it will be impossible to hinder putting goods ashore on Staten Island. There was a report that he intended to sell it to one of East Jersey. I think it would do well if you please to look into the last patent of East Jersey to see whether shipping be obliged if they come into Sandy Hook to make entry at New York. The Quakers making continual pretensions to Staten Island, disturbs the people; more than two hundred families are settled on it; and in case His Royal Highness cannot retrieve East Jersey, it will do well to secure Hudson's River and take away all claim to Staten Island:" and he suggests the running of the line from the Hudson to the Delaware, in order that the Indians may be prohibited from crossing it in order to trade with the settlers in East Jersey.

Two years thereafter, on the 22d February, 1686-7, the Governor wrote to the Lord President of Council, suggesting again the re-annexation of East Jersey in order that his government might support itself; and as it shows the views of the New York government respecting the province, the following statement sent by him under the same date in answer to some inquiries propounded, is given at length from the New-York Papers:

"As for East Jersey, it being situated on the other side of Hudson's river, and between us, and where the river disembogues itself into the sea; paying no customs and having likewise the advantage of having better land, and most of the settlers there out of this government, we are like to be divested of a great many of our merchants who intend to settle there, if not annexed to this government. Last year two or three ships came in there, with goods, and I am sure that that country cannot, —no not with the help of West Jersey, consume one thousand pounds in goods in two years, so that the rest of these goods must have been run into this government without paying his Majesty's customs, and indeed there is no possibility of preventing it. And as for beaver and peltry it is impossible to hinder its being carried thither, the Indians value not the length of their journey, so as they can come to a good

¹ There is a tradition that Billop received this plantation (extending originally over a large portion of Staten Island,) as a douceur from the Duke of York for his gallantry in some naval engagement.

market, which those people can better afford them than we, they paying no custom nor excise inwards or outwards.

“ Another inconveniency by the government’s remaining as it does, is, that privateers and others, can come within Sandy Hook and take what provisions and goods they please from that side. Also, very often ships bound to this place, break bulk there and run their goods into that colony, with intent afterwards to import the same privately and at more leisure into this province notwithstanding their oath, they saving themselves with this evasion, that that place is not in this government. To day an interloper landed five tun and one half of teeth there. To prevent all which inconveniences and for the securing of this place from enemies, I desire to have an order to make up a small fort with twelve guns upon Sandy Hook. The channel there being so near the shore that no vessel can go in nor out, but she must come so near the point that from on board one might toss a biscuit-cake on shore.

“ If the Proprietors would rightly consider it they would find it their own interest that that place should be annexed to this government, for they are at a greater charge for maintaining the present government than the whole profit of the Province (which is by quit rent) will amount unto; for they are at the whole charge, the country allowing nothing towards its support, so that had they not the charge of the government they might put that money into their own pockets.

“ And indeed to make Amboy a port will be no less inconvenient, for the reasons aforementioned, neighboring colonies being not come to that perfection, but that one port may sufficiently serve us all. We in this government look upon that bay that runs into the sea at Sandy Hook to be Hudson river, therefore, there being a clause in my instructions directing me that I cause all vessels that come into Hudson’s river to enter at New York, I desire to know whether his Majesty intends thereby those vessels that come within Sandy Hook, the people of East Jersey pretending a right to the river so far as the province extends, which is eighteen miles up the river to the northward of this place.

“ West Jersey’s remaining as it does, will be no less inconvenient to this government for the same reasons as East Jersey: they both making but one neck of land, and that so near situate to us that ’tis more for their convenience to have commerce here than anywhere else, and under these circumstances, that if there were a war either with Christians or Indians, they would be able to defend themselves without the assistance of this government. To be short, there is an absolute necessity those provinces, and that of Connecticut be annexed.”

In September, 1687, he again alludes to the subject,—and in the March previous the city of New York, in an address to the King, petitioned for the annexation.

It is probable that Dongan's first movement in the matter was prompted by memorials presented to him by the Mayor and Council of New York, in February and March, 1684, complaining of the injurious effect the vicinity of East Jersey had upon the affairs of the city: and praying that it might be annexed "by purchase or otherwise."¹

NOTE U, page 138.

THE following is the proclamation referred to in the body of the work:

"By the Governor. A Proclamation.

"It being very necessary for the good and prosperity of this Province that our principal care be in obedience to the laws of God and the wholesome laws of this province, to endeavour, as much as in us lyeth, the extirpation of all sorts of looseness and prophanity, and to unite and join in the fear and love of God and of one another, that by the religious and virtuous carriage and behaviour of every one in his respective station and calling, all heats and animosities and dissensions may vanish, and the blessing of Almighty God accompany our honest and lawful endeavours, and that we may join our affections in the true support of his majesty's government over us, who has so often and so generously exposed his royal person to imminent dangers to reduce us from the growing power of popery and arbitrary government, and hath by a singular blessing attending his endeavours, procured our deliverance and a happy and honorable peace, and is a great example and encourager of religion and virtuous living:

"I have therefore thought fit, by and with the advice of the council of this province of East Jersey, strictly to prohibit all inhabitants and sojourners within this province, from cursing, swearing, immoderate drinking, sabbath breaking, and all sorts of lewdness and prophane behaviour in word or action, and for the true and effectual performance hereof I do by and with the advice aforesaid, strictly charge and command all Justices of the Peace, Sheriffs, Constables, and all other officers within this province, that they take due care that all the laws made and provided for the suppressing of vice and encouraging of religion and virtue, particularly the observation of the Lord's day, be duly put in execution, as they will answer the contrary at their peril.

¹ Dunlap's N. Y. II. app. p. 132.

“Given under the seal of said province this eighth day of April, Anno Dom. 1698, in the tenth year of the reign of our Sovereign Lord William the third, over England, &c., King.

J. BASSE.”

“By the Governor’s command,
JOHN BARCLAY, Dep. Sec’y and Reg’r.”

NOTE V, page 141.

As the law referred to in the text may be considered as embodying the views of the people as to the kind of government which would best conduce to their happiness, a synopsis of it is here given.

The title is, “An Act declaring what are the rights and privileges of His Majesty’s subjects inhabiting within the province of East Jersey.”

The supreme legislative power, under the King, to be in a Governor, Council, and the people by their chosen representatives in General Assembly.

The executive power to be in the Governor, or in his absence the Deputy Governor, with the advice of three or more of his Council;—or should both Governor and Deputy be absent, in four of the Council, the first in nomination to preside,—the authority exercised to be according to the fundamental laws of England and the laws of the province.

The representatives to be freeholders, chosen annually by freeholders.

The General Assembly to meet annually, and to be composed of a majority of the representatives, the Council, and the Governor, or his Deputy; whose concurrent voices could make or repeal all laws.

The laws were to conform to the laws of England.

The public records to be kept at Amboy, and deeds were to be attested in a manner prescribed.

The General Assembly to constitute all courts save those of chancery.

None but resident freeholders eligible to office, excepting that of Secretary and Register.

Sheriffs were to continue in office only one year, and then to be ineligible for three years.

The Judges of the Courts of Common Right were not to be Judges of Courts of Chancery.

No person allowed to serve in any office until he should have taken the prescribed oaths.

The members of Assembly and their servants not to be subject to arrest, &c., (for high treason and felony excepted,) during the sessions of that body, or while going to or from the place of meeting.

In case of the death or removal of a Representative, the Governor to issue his writ for a new election.

The apportionment of representatives to be as follows :

Bergen County,	{	Hackensack,	1
		Bergen,	2
			— 3
Essex County,	{	Acquacanonk and New Barbadoes,	2
		Newark,	2
		Elizabethtown,	2
			— 6
Middlesex County,	{	Woodbridge,	2
		Piscataway,	2
		Perth Amboy,	2
			— 6
Monmouth County,	{	Middletown,	2
		Shrewsbury,	2
		Freehold,	2
			— 6
Somerset County,		1
			—
			22

and as many more as the Governor and Council should think proper.

No estates of a *feme covert* to be sold or conveyed, unless by deed duly acknowledged.

Wills were to have three witnesses, proved and registered within sixty days after the testator's death, and executors were liable to fine for neglect.

No freeman should be compelled to fight, or to be pressed to go out of his own county, "much less out of the province," in time of war or peace, unless in case of a sudden invasion or by special act of Assembly.

No soldiers were to be billeted upon the inhabitants unless in time of war.

No freeman to be imprisoned, &c., except by the judgment of his peers and the laws of the province.

Martial law not to be exercised except upon officers and soldiers, in garrison and in pay, during actual war.

Neither justice nor right was to be sold, denied, or delayed.

No one to be dispossessed of his land, &c., excepting by due course of law.

Trial by jury was to prevail in all cases.

In all cases capital and criminal, a grand inquest of the county first to present the offence.

No one professing faith in God by Jesus Christ, his only Son, to be called in question for difference of religious opinion, &c., provided that this should not extend to any of the Romish religion, to exercise their manner of worship, contrary to the laws and statutes of England.

The provisions of the act were not to infringe the liberty or privileges of any grant or charter before given.—*Grants and Concessions*, p. 372.

NOTE W, page 149.

EXTRACT from a despatch to Lord Bellamont from the Board of Trade, dated August 21, 1699.—From the New York Colonial Papers.

“We told you in our letter of the 5th Jan’y last, the reason of our suspending awhile any further report about the Proprietors of East New Jersey’s pretended right to a Port at Perth Amboy” [which was the necessity for consultation with the officers, from whom the proprietaries claimed to have received their authority] “and shall now explain to you a little more fully how that matter stands. The Proprietors of that province, thinking it seems they might have some advantage by complaint of your Lordships seizure of the Ship Hester, petitioned his Majesty upon that subject, which petition of theirs, being heard in Council the 9th of March last, was by his Majesty referred unto our consideration, and we therefore send you here enclosed a copy of it with the order of Council thereupon.—Whilst we had that matter under consideration, those Proprietors laid before us also other memorials in which they offered some conditions, in order to compromise the dispute; but such as we did no ways think it for his Majesty’s service to accept of—And therefore upon the 18th of April last we laid before his Majesty another representation upon that subject. *By that you will perceive the use we made of their proposal of a trial about the Port of Perth Amboy, by trying their right of government in the same question: a matter on which they are very tender, as being sensible of the weakness of their title—and we therefore thought it best to join both together. Hereupon*

after long delays, and after having in vain endeavored in the name of the Proprietors of West New Jersey (who are for the most part the same persons) to draw us into a snare by desiring our opinions for the approbation of Mr. Hamilton to be Governor of West New Jersey,—that so our allowance of the one, might have been an argument for the other, because their title to both is one and the same,—they have in the end laid before us certain proposals for the surrender of East New Jersey upon certain conditions.¹ But we have not yet thoroughly considered the same. However there appearing to us several obvious exceptions against what they propose, and great difficulties in settling the matter to their satisfaction and without prejudice to his Majesty's right and to the interest of the Province of New York, we are apt to think that business may hang yet some time longer in suspense. And therefore we send you here enclosed the copy of their said proposals, and desire your observations thereupon, how far any of them will be advantageous or disadvantageous to the province of New York. But in the mean while we can offer to your Lordship no other rule for your conduct towards those provinces both of East and West New Jersey than what his Majesty has already given you."

NOTE X, page 150.

THE following is the letter from Governor Hamilton, referred to in the text.—It was rescued from the rubbish of a garret, and has never been before printed. Its perusal cannot but excite regret that the despatches of the proprietary governors should have been lost.² How this should have found its way back to East Jersey is not known.

"Perth Amboy, 1st June, 1700.

"WORTHY GENTLEMEN:—

I am at a great loss for want of advice from you how far you have concerted the affair of the surrender, the people here proposing to them—

¹ These proposals are printed in Smith's N. J. p. 560.

² At a meeting of the Board of Proprietors, April 11, 1767, a letter was stated to have been received previously from one Mrs. Margaret Bowles, dated February 1st, 1738-9, in which she acknowledges "to have in her Custody the

Register Book and Book of Orders for the Governors and Proprietors, but thinks it not advisable to part with them being other Peoples concerns." A Committee was appointed to apply through the agent of the province to Mr. Humphrey Bowles or any other person for the book, but it has never been obtained.

selves that they will be upon the level with you when the government is out of your hands, may purchase lands from the Indians as well as you and throw up their patents and hold by their Indian purchase. I say proposing these advantages to themselves (and there's no beating them out of it) they lay hold on any twig they think will attain their end. I send for your perusal a copy of a petition that the factious part of the people sent about to get hands to, and I send you my remarks upon it.¹

"I was in a mistake concerning Mr. Royse, he had an old patent which contains about 20000 acres, but because the stations were uncertain and the boundaries would not meet, he addressed the proprietors at home for a new patent, which he had and contains about 6000 acres, for which he was to pay £5 a year for the whole instead of the $\frac{1}{2}$ per acre, and the proprietors forgetting to make him surrender his old patent he now claims about 20000 acres by it, and so takes away upon Milstone River from Mr. Hart and on Raritan from Mr. Plumstead and Mr. Barker considerable tracts of land, so that he uses both patents, the old one if he can, and the new one if the old fail him; it was a great oversight. He is the ringleader of the troublesome sort of the people, and 'tis he that infuses the motive in them of holding by their Indian titles.² If they have made any alterations in their petitions I know not; but I believe it will be much to the same purpose; but if the King give a countenance to a factious and a false petition to break your government, it will introduce ill precedents.

"While the people propose to themselves such advantages by the governments being in the hands of the King, you cannot expect they'll raise money to defend it, nor any thing wherein they suppose you will share the advantage with them; and therefore if the surrender is not completed, a trial will be less expense, and whatever be the issue will vindicate you more than the surrender, for instead of thanking you for the privileges you obtain, they will reproach you for receding from what they think their due. For instance, you propose that, upon the annexation, the same number of counties continue, and by the same names, and that as many represent in General Assembly a county in East Jersey as they shall at New York; and I perceive the Lords will allow but E. J. to be 1-6 of that Assembly, and should you consent to this proposition by charter, the people will curse you, for in York government two represent a county, wherein E. J. being but 1-6 will be less than one to represent a county; and so will they cavil if the Port be precarious. Indeed I dont well see that their Lordships can retrench them, or a

¹ This was probably the petition to be found in Smith's N. J. p. 558.

² If such were the character of the

leader (and we have no reason to doubt the governor's statement) we may well imagine the character of the followers.

charter tie them up to less than a just proportion.¹ I beseech you gentlemen without loss of time bring things to an issue, if they will not advise the King to establish your Port by patent, and give the people a just proportion in the assembly you have a handsome retreat; only this I must caution, you'll be forc'd to accept of a new charter to secure your land if it be allowed by council learn'd in the law that an Indian title be good tho' it is strange to me if it be, for if so, then the King's grant is of no benefit to the proprietors. But if you find the people will be forced to hold by their patents, the trial will clear you of imputation.

" Finding no hopes of raising money, I forbore calling our assembly till their own was to sit of course by an act passed in Mr. Basse's time, which is to meet yearly by proclamation the fourth tuesday of May; and rather because the assembly of West Jersey was to sit on the 12th of the same month, and that the decency and order of that people might be of good example to them. I accordingly issued out proclamations in the fourth tuesday in May, and because several towns had not chosen I issued out writs to them to choose and to meet the said day. They accordingly met, and of the afternoon of that day the whole house came to me and the council. Capt. Bowne (as I was beginning to speak) told me that he was ordered by the representatives to ask by what authority I called them together. I told him he could very well have answered that point himself having heard my commission read upon my arrival. Mr. Royses asked if I had the approbation as the act directs. I told him that I was as much surprised to hear him ask that question, first that he had not scrupled that in Mr. Basse's time, believing that was the King's business to inquire into, not the people; in which I told him he was in the right. 2d. For that he had upon my first coming heard me relate the several steps had been taken to obtain an approbation, and what obstructed it. But since he was not so just as to inform the representatives what he knew, that I would, and accordingly I related the whole steps that had been made and why it was not granted, viz., That to break their ports the crown had of late questioned the proprietors' right to government, looking on it as unaccountable to be a government and not allowed a port as all other distinct colonies in America are. That accordingly the Lords of trade, to whom the proprietors' petition was referred, had advised the King to consent to a trial in Westminster hall

¹ These remarks refer to one of the proposals of the proprietaries containing specific provisions to be inserted in the act of surrender, which was *submitted* to the Lords in July, 1669. It was probably the difficulty that might be ex-

pected in pleasing the inhabitants, who were disposed to cavil at whatever they might do, which led to an unconditional surrender. The proposals and reply of the Lords are in Smith's N. J., pp. 560 to 563.

for their claim to both, which report was confirmed by the King, and referred to the Attorney General to direct the method of the trial. That, after the report, I had applied to the council of trade and told their Lordships that since they were pleased to scruple the proprietors' title to government, I should be unwilling to act under any commission their Lordships' should account unwarrantable, and thereby draw either myself or the proprietors under any inconvenience. I acquainted the representatives that (being ordered to withdraw) I was a short time after called in, that the Lords were pleased to tell me that they questioned the proprietors' right to government, yet they did not intend that as an inhibition to the proprietors or a forbidding them to act further until the trial betwixt them and the King were issued, or that the terms of the surrender were concerted, being sensible that people could not be without government; and therefore if I acted according to the laws of England the proprietors would be sufficiently justifiable in commissioning me, and I safe to act under it, but that the granting an approbation was a recognizing the proprietors' title, and by consequence giving away what they accounted the King's right.

"I farther told the representatives that all of them were sensible that the proprietors did not set up a government at their own hand, but that the obedience of the inhabitants was first commanded by King Charles the 2nd, that no King since had absolved them from that tie: that the trial which the King offers them for their right to government is an argument that he looks on their grants to be in force till that trial is issued, and therefore while it was safe for the proprietors to act, it was safe for them to obey. That the want of an approbation was no fault of the proprietors, for that they had followed the proper methods for obtaining it, and if the Lords refused it, it could not be charged as a crime in the proprietors, or in me if I acted without it, and that it was the King not the people was judge how far a person was qualified or unqualified to act, and the proprietors were always ready to answer for that, and it was they run the risk if any was, not the inhabitants.

"Notwithstanding, Mr. Royle he still insisted that they were not safe to act without an approbation, which put me upon the necessity of plain dealing with them. I told them I was not a stranger to the point they were driving at, and that the getting the government out of the proprietors' hands they accounted the means to obtain it, and it was that, not want of an approbation, was the reason of their pretended scruples; but withal, as they might miss the mark, so they were unmannerly and ungrateful to the proprietors, who had been at so great a charge to maintain the government purely to make them easy and would always have thrown it up when the people had applied to them. That by keeping them a distinct province throughout the course of the late war, they had their purses and their persons in their own disposal, and freed of a

charge of at least £15000 which their proportion would have amounted to, and though their carriage would ere long make the proprietors throw them off; yet even that government to which by their own fault they were like to be annexed, they'd use the treason but despise the traitors.

" Thereafter they withdrew, and understanding by some of the members that they were resolved to raise no money, and fearing they might use the authority of the assembly for countenancing their petition and so might make a better figure at home, than when signed by a few straggling hands, I was glad of an opportunity of dissolving them; and as luck would have it, with debates among themselves they omitted choosing a speaker the first day, and that dissolved them of course. I shall once more only recommend it to you to bring the affair of government forthwith to an issue by surrender, or rather by a trial, and then you are free of the expense of a new charter. I am unwilling to begin the other sheet, and therefore take leave.

Worthy Gentlemen,

Your most faithful servant,

AND. HAMILTON."

" Received the 24th July."

A P P E N D I X .

THE
MODEL OF THE GOVERNMENT
OF THE
PROVINCE OF EAST NEW JERSEY
IN
A M E R I C A .

BY GEORGE SCOT.

NOW FIRST REPRINTED FROM THE ORIGINAL EDITION
PUBLISHED AT EDINBURGH IN 1685.

PUBLISHED BY THE
NEW JERSEY HISTORICAL SOCIETY.

1 8 4 6 .

INTRODUCTION.

THE work here reprinted for the first time, contains information relating to many of the first settlers of East Jersey, and to the condition of the province at an early period, nowhere else to be found; and which has been rendered of little service to historians generally from the rareness of the original edition. Only four copies are known to exist—two in Europe and two in the United States. One is in the Advocates' Library at Edinburgh; another in the Gottingen Collection; the third is in the possession of John A. King, Esq., of Long Island; and the fourth in Harvard College Library, from which the manuscript copy was taken for this reprint. The use of Mr. King's copy has also been politely extended to the Editor during the passage of the work through the press.

Smith, the Provincial Historian, or some one in his behalf, must have had access to a copy; as his history contains three or four letters and (in part) a description of the Province as it was in 1680, which were evidently extracted from this work, although it is not alluded to in any way by him. Mr. Bancroft refers to, and quotes it in one or two instances, but Mr. Grahame, the late eloquent writer on our Colonial History, was the first, and heretofore, the only one to consider the work of sufficient

importance to call for any particular notice of its character, or of the circumstances under which it was written ; which were briefly these : The Scotch Proprietaries found it a difficult matter to induce their countrymen, notwithstanding the depressed condition of the greater proportion of them at home, to seek relief in a voluntary and perpetual exile in a distant land. Some two or three hundred had done so, but it was necessary to a successful prosecution of their scheme of colonization, that the public interest therein should be more generally diffused and the embarkation of greater numbers secured. They therefore procured the publication of the work that follows, entering particularly into historical and statistical details respecting the Province ; and, while presenting in a desirable light the proposed refuge, combating with considerable ingenuity the prevailing objections to emigration.

In the fulfilment of this project, the author commences with a learned disquisition upon the mode in which America was first peopled, in which, it may be remarked, he apparently adopts views and conjectures similar to those which of late years have received the favorable consideration of some of our most eminent antiquarians.¹ He then proceeds to meet and overcome the various scruples that were presumed to operate against its farther settlement from Scotland, by arguments drawn from sacred and profane history, and from different considerations of duty to themselves, their families, their country, and their religion ; the force and applicability of which each reader will determine for himself. The important advantages to be secured by a residence in

¹ See pages 11, 14—16.

East Jersey are then portrayed, and the superiority of that colony over others in America and the West Indies warmly urged.

The value of the work to the historian, however, consists in the information it gives respecting the condition of the country ; and the views and prospects of the early settlers whose letters constitute a large portion of its contents, among whom were several who subsequently filled important stations in the Province, and contributed by their abilities and worth to its advancement in prosperity and civilization. 'Tis true

“ * * * * * We but hear
Of the survivors' toil in their new lands,
Their numbers and success ;—”

yet who can read with indifference such items of intelligence, referring to those hardy pioneers from whose exertions sprung the fruitful fields and beautiful villages of East Jersey, so characteristically recorded by themselves ? It is to the influence of these letters, and of the work generally, that we may consider it in a great measure owing—adopting the language of Grahame—that “ American society was enriched with a valuable accession of virtue that had been refined by adversity, and piety that was invigorated by persecution.”

The author, George Scot of Pitlochrie, was connected by descent and marriage with some of the most distinguished families in Scotland ; which circumstance may have led the Proprietaries to confide to him the preparation of the work, from the beneficial tendency his advocating the cause of emigration would have upon an extensive circle of acquaintance ; and his arguments, doubtless, received material support from the fact of his

adding example to precept, by embarking himself and family for East Jersey. He was accompanied by nearly two hundred persons, and sailed from Scotland about August 1st, 1685; the Proprietaries granting him as a testimonial of their gratitude for the services he had rendered them, five hundred acres of land in the Province.¹

But the career of energy and usefulness which promised so much for the welfare of the Province was soon closed. Before the "Henry and Francis" (the vessel in which they sailed) arrived at East Jersey, both Scot and his wife (and possibly one child) were no longer living. Of the catastrophe or disease causing this unfortunate result, the records of the Province give us no information, and tradition merely brings down the fact that they died before they reached the land of their adoption. One daughter alone survived, Eupham (Euphemia) Scot, who in 1686 became the wife of John Johnstone one of her fellow passengers, (the "Druggist at the sign of the Unicorn in Edinburgh" mentioned on the last page of 'the Model;') and on January 13th, 1686-7, her husband received from the Board of Pro-

¹ E. J. Records, A, 385, 386. The grant was dated July 28th, 1685. Mr. Grahame advances some reasons why he presumes Governor Barclay did not write the book himself, but thinks it probable he gave his assistance in its preparation. He says, "The inequality of the performance strongly attests that it was not wholly the composition of a single author;" but the Editor doubts if the inequality alluded to is sufficiently great to warrant such a supposition; and it is very certain that in the above-mentioned grant nothing is said of indebtedness to any other party than Scot;

and no allusion whatever to the work appears elsewhere in the Records. Mr. Grahame starts an inquiry as to the identity of this George Scot with the Captain Scot who, Governor Nicholls [Chalmers' Annals, p. 624.] states, had been an applicant for the patent which the Duke of York obtained, and who, in revenge for the disappointment he sustained, induced the Duke to part with New Jersey—then considered the best part of the grant! They were undoubtedly different persons, Captain Scot's name was John.

prietors a confirmation of the grant which had been made to her father.

John Johnstone long practised medicine in the Province, besides filling several important public offices, and died, says the Historian Smith, "very much lamented by all who knew him, and to the inexpressible loss of the poor, who were always his particular care."

Their descendants became numerous, and for years before the Revolution their names are frequently met with in connection with high civil and military stations in the Province; and although most of the families thus descended, from their identification with the Royal cause at the Revolution, were scattered in different directions or obliged to leave America; there are still, among the most respected citizens of New Jersey those who can trace their descent from George Scot; testifying, by their own characters and talents, to the service rendered by their ancestor when in addition to the influence of his work he embarked his family for East Jersey.

Following the dedication in the original edition, is an advertisement "to the Reader from the Printer," requesting him "with his pen to help what he finds amiss, the author's pressing affairs having hindered him from overseeing the press;" and in transcribing the work, the manifold errors in orthography and punctuation caused some hesitation as to the course proper to be pursued. Desirous, however, to preserve its character as much as possible, and considering also that some of these errors might have originated with the writers of the several letters, and therefore be in some measure indicative of their literary attainments, the Editor has confined the corrections to what were deemed merely errors of the press.

The predominating type changes frequently, in the original, some pages being in italic characters, some in roman; but in this reprint it was thought unnecessary to alter the character, save for such words or passages as were printed differently from the current type of the page on which they appear.

The following page shows the Title, and size of the leaf in the original; and the figures between brackets, inserted in the text, indicate the division of its pages.

W. A. W.

Newark, New Jersey, 1846

THE
M O D E L
OF THE
GOVERNMENT
Of the
P R O V I N C E
OF
E A S T - N E W - J E R S E Y
IN
A M E R I C A ;

And Encouragements for such as Designs to be
concerned there

*Published for the Information of such as are de-
sirous to be Interested in that place.-*

E D I N B U R G H
Printed by *John Reid*, And Sold by
Alexander Ogston Stationer in the
Parliament Closs. Anno
DOM. 1685.

To
JAMES
Earl of PERTH, Lord DRUMMOND
and STOBHALL, &c., Lord High
Chancellour of SCOTLAND.

JOHN VISCOUNT of Melfoord, GEORGE VISCOUNT of Tarbet,
Lord Drummond of Gilston, Secretary of State for the Kingdom of Scotland, one of the Members of His Majesties most Honourable Privy Council in both Kingdoms. Lord Mccloud and Castle-Haven,
Lord Clerk, Register of Scotland, and one of His Majesty's most Honourable Privy Council there.

My Noble Lords :

As your Lordships concern in *East Jersey*, makes it appear to all intelligent persons, that it is a *Nationall interest* to advance in generall the design of a Plantation, hence to *America* : so that in particular, *East Jersey* [ii] is the most proper place. seeing your Lordships have chosen it among all the other parts of that continent, to settle your interest there ; Yet my *Lords* there are (to our shame) a parcell of people, who whether out of Ignorance or Malice, I cannot well determine, decry the design ; I believe they have a share of both, and thereby weaken not a little the hands of a number of well meaning people, who would gladly promote the same effectually, were they not imposed upon by the false rumors, industriously spread abroad to stifle any such inclinations.

I have been advised to consent to the publishing of the following sheets, at first collected only for my own divertisement and more clear information in the affair, as what may tend somewhat to prevent any foolish misrepresentation ; when by the perusal of the accounts from thence, the least jealousy is removed of any cheat in the thing itself, so advantageous a Character of the place coming from so many different hands.

I have had too many demonstrations of your Lordships favour, to fear your displeasure upon account of my presuming [iii] to send the same abroad under your *Patrociny* ; yea, I dare further advance. without the least apprehension of your dissatisfaction with me upon that head, to mind your Lordships that as you have laid the foundation of this de-

sign, as to any concern of this Countrey in that place, so it is expected your Lordships will continue to encourage the same. In process of time your Lordships may render your Names and Families as considerable in *America* as they are in *Europe*.

My Lords, having resolved to dedicate myself, Family, and Fortune, to the promoting of this design, I should the more easily digest any frowns of Providence I have been trysted with, were I so fortunate as to find the opportunity, in *Jersey*, of testifying my resentments of the favours I have received at your Lordships hands in *Scotland*, by noticing any of your Lordships concerns there, and contributing what in me lyes to advance the same: nothing shall be wanting in me to testify how much I am

My Noble Lords,

Your Lordships' most

humbly devoted Servant,

GEORGE SCOT.

AN ACCOUNT of the Incouragement for promoting a Design of Planting, in *East New Jersey*; containing the Constitutions, and a Model of Government of that Province: in a Letter from a Gentleman at Edinburgh, concerned there, to his Correspondent in the Countrey:

SIR:

Perceiving by your last Discourse, that you not only appeared somewhat resolved to be yourself concerned in promoting the present Design of carrying on a Plantation in *America*, but to endeavour to engage several of your Friends in the same undertaking when you found any probability of its taking effect; I find myself obliged, for your more full Information, to let you know at more length the Reasons inducing me to be so much concerned in the promoting this Affair, submitting very willingly, the grounds prompting me hereto, to your most narrow scrutiny, whether in so doing I act Rationally or not?

Having at *London* in the year 1679, the opportunity of frequent converse with several [2] Substantial and Judicious Gentlemen concerned in the *American Plantations*, I had thereby the opportunity of understanding thoroughly the great advantage redounding to that City from *Undertakings of this nature*, and rational grounds of Conjecture That their Commerce with that place of the World, hath been one of the greatest Improvements of that Trade they have for many years enjoyed, which hath rendered it now one of the most considerable Cities in *Europe*; the Customs thereof which in Queen *Elizabeth's* time, were farmed at *Fifty thousand pounds* paying now into the Exchequer, near *seven hundred thousand pounds* yearly, which great Improvement may be much attributed to their Trade with *America*, brought now in a great manner to Perfection, which at that time was but in its Infancy.

From that time I began to have strong inclination to be more fully informed in that Affair, and to be, at all imaginable pains, to notice the same very concernedly, and for my more full satisfaction, I judged it requisite to trace the very beginnings of all the *English Plantations*, and their gradual progresses ere they arrived at that perfection they presently [3] are at, I could not rest satisfied with the first Methods I proposed to myself in Order to do this, of discoursing at large with such as had been in the several Plantations, by putting such interrogatories

to them thereanent, as I judged most proper for informing myself in all things relative to that knowledge I judged requisite for my own clear information, and for being a foundation to a Design I then began to frame, of being therein myself some way interested; And tho' I found one and the same account given me in solution of the most material Questions I proposed, Yea, from several hands, who were such whose knowledge in other things, with the good Character they generally went under, obliged me to notice their information as truth without the least jealousing the verity of the account they gave me; yet for my more full satisfaction, I proposed what I judged would contribute more clearly to my full understanding that affair, to wit, the perusal of all the Geographical descriptions of these places in *America* inhabited by the *English*.

The first thing which offered to my view in this search, was a question in itself both pleasant and material. What way the continent of *America* came first to be inhabited after the Flood, it being a World [4] wholly unknown to *Europeans*, *Asiaticks*, and *Africans*, till the late discovery thereof by *Americus Vespuicius*, and *Christophorus Columbus*, since by all circumstances, it is apparent that it hath been long inhabited; *Iaertius* in his discourse aent the *Original of the Americans*, Declaring, That the *Spaniards* destroyed thirty millions of them in those parts of *America* usurped by them, which is not the 100 part of that continent: And since it is by all agreed that after the Flood, *Noah* and his three Sons had their habitations in some parts of *Asia*; there being no probable evidences that any of their Descendants led out the first Colonies thither, being so divided from the rest of the World, to wit, from the *Western* coast of *Europe* and *Africa* by the vast *Atlantick Ocean*; from the *North* parts of *Europe*, by the great frozen Seas lying betwixt it and *Green land*, appearing to be the *Northern Coast of America*; from the *Northern part of Asia*, *Tartaria*, and *Cathay*, by the *Fretum Annium*; from the *East part of China*, and the *Philippine Islands* by the *Oceanus Pacificus*. above 2000 leagues in breadth; and divided from the great lately discovered Island *Delfuego*, [5] by the Straits of *Magellan*; and that Island divided again from the uttermost *Southern Continent* (if any be) by a Great Sea not formerly known to the *Europeans*, and *Asiaticks*; being divided from *Asia* and *Africa*, by the great *Indian Ocean* lately discovered by *De La Mers Navigation*; the only probable means of such a Migration, being of a far later perfection, than what could answer such a population of so great a Continent.

To this apparently difficult question I find a very satisfying answer given very fully by the Learned *Hales*, his Assertion, to wit, That notwithstanding these apparent difficulties, a Migration unto *America* from the Descendants of *Adam*, and *Noah*, was not only possible, but proba-

ble; that the famine [migration?] was successive, that tho the time or manner of these Migrations cannot certainly be defined, yet many of them were long since, some thousand of years, Yet after the universal Deluge, that the means of this Transmigration of the Descendants of *Adam* and *Noah*, from *Asia* unto *America*, hath been both by Sea and Land. That the readiest means of the Migration of Colonies unto the *Western World* [6] from the *Eastern*, was by the help of Navigation, whereof much might be casual by Tempests, or contrary Winds, *but the more Principal from design, be judging it probable* that the use of Ships was not unknown to the Old World before the Flood, tho not in the perfection as after. But that the Ark of *Noah*, being an exact piece of *Architecture*, did give a patern for Vessels of greater burden, that from that time the skill of making and navigating Ships had been certainly improved; *Heathnish Histories* giving us account, that Navigation was ancient among the *Grecians*, especially among the *Phenicians*, *Tyrians*, and *Carthaginians*; *Pliny* in his Natural History, relating That the Navigation of the *Argonauts* to *Colchis* for the *Golden Fleece*, happened about 1000 years after the Flood: and that 200 years before that, *Danaus* sailed out of *Ægypt* unto *Greece*, and tho there be no express mention of the *Pixis Nautica* for many years, after the mention of the use of Navigation, yet the same Author relates That the *Phenicians* steered their course by observation of the Stars.

But the *Sacred Scripture* gives a better [7] account of the Antiquity of Navigation. *Jacob* died 600 years *after* the Flood, yet he mentioned *Ships* and *Havens for shipping*, as things well known: and particularly *Sidon*, as a great Port for Shipping, where *Zebulons Lot* was to be cast; Gen. 49. 13. *Balaam*, in the time of *Moses*, mentions the Ships of *Chittim*, or *Grecians*, as a known thing; Num. 24. 24. In the Reign of *Solomon*, the *Tyrians* are noticed as expert seamen, he having a Navy upon the Coast of the *Red Sea*, from thence making Voyages with the *Tyrians* to *Ophir*, and *Tarshish*, places apparentlie in the *East Indies*, thence bringing Gold and other Commodities: 1 Chr: 8. 18: 9. 21.

The Histories of all succeeding Ages of the *Grecians* and *Persians*, of the *Tyrians*, *Phenicians* and *Carthaginians*, of the *Romans*, *Ægyptians* and *Chineses*; and in the latter times of the *Venitians*, *Sicilians* and *Rhodians*, *Spanish*, *Dutch*, *French* and *English*, give us a full account how Sedulous and Industrious all Maratime Coasts have been in advancing of Navigation, in multiplying of Shipping, in Merchandizing and Trading, in searching out and subduing Forreign Countries, when either afflicted at home [8] by war or otherwayes, or grown over populous.

And therefore, says the forecited Author, as latter years hath given us, of this age, witness of the Transplantations to *America*, from *Spain*,

France, Portugal, England, Scotland, and Holland, and some Ages before that have given instances of Transplantations from *Norway* unto *Greenland* and *Iceland*: so it appears not only possible, but probable, that either by Casualty or Tempest, or by Intention and Design, either for Lucre of Gold, or for disburthening of the Countries Sur-charged with multitudes of Inhabitants, or by greatness of mind, affecting Noble Undertakings, or by Reason of Hardships, Oppression, and Wars at home, or by some of all these wayes, several parts of this great Continent, at several times have been planted with Inhabitants, which through process of time, have multiplied into these many Nations, and have forgot their Original, and the Manners, Religions and Customs of these People, from whom they descended in *Asia, Europe, or Africa*.

His judgment is, That the Countries in *Asia* and *Europe*, which with greatest probability have first Peopled *America* [9] appear to be the *British*, the *Norwegians*, the *Tartars*, or *Scythians*, the *Phenicians*, *Carthaginians*, or the *Chineses*: Not mentioning the late migrations of the *Spanish, French, Portuguese, Dutch, English* or *Scottish*.

Doctor Powels relates, That anno 1170, *Madock* one of the Sons of *Owen Gwinneith*, went over twice unto the Northern coast of *America*, and made there a *British* plantation; This is at large prosecuted by *Laertius* in his second Observation.

Grotius hath some Observations touching the Migrations of the *Norwegians*; *Laertius* grants, that *Iceland* and some part of *Greenland*, were planted by *Ericus Rufus*, anno 928; that probably from hence Colonies were brought over unto the Northern parts of *America*, over the *Fretum Aquian*, in respect of the easiness and shortness of that passage; from *Nova Zembla* and the farthest *North east* part of *Tartary*, over that narrow sea, and partly by Reason of the congruities of the Barbarous customs of the *Americans* and *Scythians*.

Hornius thinks the Migration of the *Phenicians* and *Carthaginians*, especially unto the *south-east* part of the continent of *America*, [10] as *Mexico* and *Brasil*, very probable upon many accounts: 1. Upon the great skill and long practice of Navigation, and the multitude of Shipping of the *Phenicians* and *Carthaginians*: 2. Upon the Accommodation of the Port of *Carthage*, and other *African* ports bordering upon the *Mediterranean Sea*, to make their Voyages *Westward*, and the great advantage of the constant *Easterly* winds, which makes the Voyage to *Mexico*, and *Brasil* more easy: 3. Upon some ancient Histories, intimating the progress of the *Phenician* and *Carthaginian* Fleet unto some Islands, or Continents in or near the *Atlantick Ocean*:—And lastly, he finds much of the Origination of the *Americans* attributed to the Migration of the *Seni* or *Sinenses*, from the *Eastern* parts of *China*, and the *Philippine* Islands, from the Islands of *Borneo*, and the *Moluccas* and *Japan*, through the *Mare Pacificum*, unto the *Western* parts of *America*; which, tho

it be a large Ocean of above 2000 Leagues betwixt the *Philippine* Islands, and the West of the *American* Continent, and the passage hither difficult, in respect of the constant *Easterly* Winds betwixt the *Tropicks*: yet many [11] reasons appear to the likelihood of a plantation from thence. 1. In respect of the Peopling of *China*, which Mr. *Webb* says, *Was first Peopled after the Universal Deluge*, *Shem* the son of *Noah*, first settling here, it being the most ancient and primitive Language: that by means of the Almighty, and settledness of this *monarchy*, having continued ever since the Universal Deluge, It is most probable, the Western continent of *America* was Peopled hence: 2. Because they were the greatest Masters of Shipping, and best skilled in Navigation of any part in the World; The *Pixis Nautica* being there known, and used long before the knowledge thereof in *Europe*. 3. The many Islands upon the *South*, and *South-East* part of *China*, as *Borneo*, *Java*, *Gilolo*, *Celebes*; and others near the *Equator*, are disjoyned but by very narrow Seas—not much broader than between *England* and *France*—from the neck of Land called *Terra de Papes*, or *Nova Guinea*, and *Nova Hollandia*, new discovered to be, at least in some parts, disjoyned from the more *Southern Continent*, by a great Sea, but anciently thought to have been a [12] part of the *Southern Continent*.

Upon these and the like Probabilities, Judge *Hales* thinks it reasonable to conclude that the *Americans* had their Original from the Inhabitants of *Europe*, *Asia*, and *Africa*, that Transmigrated into that Continent, either intentionally or Casually, or both. 2. That these Migrations were not of one single People, but of many and diverse nations. 3. That these Migrations were not altogether or at one time, but successively in several ages, some earlier, some later. 4. That, therefore it is impossible to determine the time of such Migrations, only that they have been all since the Flood, now above 4000 years ago; some Migrations 2, 3, or 400 years after the Flood; some later, according to various accidents; but there is no wayes probable that the earliest Migration hither was above 4000 years since, for if one hundred pair they might easily propagate a number competent to People all that Continent. 6. That it appears that since the last of these ancient Migrations, suppose that of *Madock* and his *Brittons*, until our late Migrations by the *Spaniards*, *French*, *English*, *Dutch*, and *Scottish*, there probably intervened an interval of at least 4 or 500 years; in all which Interval the Commerce [13] and Communication between *Europe* or *Asia*, and *America*, hath as it were slept and been forgot both by them and us. 7. That in this interval of 500 years or thereabouts, in all parts, but in some parts far greater, there must in all probability happen a great forgetfulness of their Original, a great Degeneration from the Primitive Civilitie, Religion, and Customs of these places, from whence they first arrived; a Ferine and necessitous kind of Life, by a conver-

sation with those that having been long there, were fallen into more barbarous habit of Life and Manners, would easily assimilate, at least the next Generation, to barbarism or ferineness. Where a Colony comes and keeps itself in a Body, as the *Roman Colonies* did, and the Plantations in *Virginia* and *New England* do, and the *New Accessions* incorporate and joyn themselves unto that Body. Customs, both Religious and Civil, and the Original Language are kept intire, but when the *Accessions* are but thin, and sparing, and scattered among the Natives of the Countrey where they come, and are driven to conform themselves unto their customs for their very subsistence, safety and entertainment, it falls out that the very first *Planters* do soon degenerate in their *habits, customs*, [14] and *Religions, as a little wine poured into a great vessell loseth itself*; but if they escape a total *assimilation* to the countrey where they thus are mingled, yet the next *Generation* in such a mixture, is quickly assimilated to the *corrupt* manners, and customs of the people among whom they are thus planted; so that it is no wonder, if in such kind of small *Accessions*, successively from one and the same, or severall Countries, The *third Generation* forgot their *Ancestors*, and the *Customs, Religions*, and *languages* of these people from whom they were first derived, and assume various *temperaments* in their *language and customs*, according as the places of their *habitation* and the *Company* among whom they live obtain. But there remains yet a great difficulty, touching the noxious untameable Beasts as *Lions, Tigers, Wolres, Bears*, which that continent abounds with; how they come to be conducted over the seas, to be preserved in the *Ark*, and after to be transported again thither, it not being probable that they could be transported by shipping, seeing no man would be at the pains, charge and hazard, with such Beasts, which would do more harme than good. And altho possibly, the Frozen Northern Seas might be a *Bridge* for their Passage, yet that appears [15] unlikely in respect of the great snows which accompany such frosts; and the impossibility of supply of food in so great and troublesome a journey, and as to swimming, tho the Seas between *Tartary* and *Cathay*, and some parts of *America*, be not so wide as the *Atlantick*, or *Pacifick Ocean*; yet they are too large to afford a passage by Sea for *Tigers* and *Lions* not apt to take the water; and it is not yet certainly discovered, tho conjectured, that there is any neck of Ground or passage by Land from any part of *Europe*, or *Asia*, unto any part of the continent of *America*.

The only thing then remaining to accommodate this difficulty, is to suppose that though it should be granted, there is no such Land passage extent, yet within the *compass* of four thousand years elapsed [since] the *Flood*, there have been some such junctions or land passages between the northern parts of *Asia* or *Europe*, and some northern parts of the continent of *America*: or between the south east part of *China*, or

the *Philipine Islands*, and the Southern continent,—though lately there be discovered an interposition of Sea, between the Island *Delfuego* and that southern continent,—whereby either from *Asia* to *Greenland*, in the north, or from *China* to *Terra Australis incognita* on the south, a land passage might be from [16] *Asia* to *America* for men and beasts; though for some ages past, either by the violence of the water or by floods, or earthquakes, which hath made great alterations in the Globe of the Earth and Seas, that Bridge or Line of communication be now broken or obliterated: and truly such as observe the infinite number of Islands lying between the continent of *China* and *Nova Guinea*, almost contiguous to each other hath probable reason to believe that these have been all formerly one continent joining *China* and *Nova Guinea* together, though now by the eruption of the seas, crumbled into small Islands; hence there is ground to believe there hath been anciently necks of land which maintained passage of communication by land betwixt the two continents. *Pliny* tells us of the great *Atlantick Island* mentioned by the *Ægyptian Priest*, in *Plato's Timæus*, almost contiguous to the western part of *Spain* and *Africa*, now wholly swallowed up by that *Ocean*: which if truth, for ought we know might afford a passage from *Africa* to *America*, by land before that Submersion.

[17] But to return from this, I hope not *unpleasant depression*, having seriously considered the advantages which may be rationally conjectured, to redound from the right management of a concern in *America*, I resolved to lay myself out wholly for the promoting such a *design* in this Country, as what I was convinced, would in the end not only tend to the *Honour* and *advantage* of our nation in *General*, but to the *Particular Interest* of such as would resolve to be therein *effectually concerned*: though I am abundantly sensible, there are not a *few who take upon them to censure this undertaking, who have not the capacity to pry into the advantages which may rationally be proposed in prosecuting thereof*, the strongest argument they are able to bring against, it being taken from the practice of our *Ancestors*, altogether innocent of any such *design*, though reputed abundantly wise in their generation: that therefore in their children it can be no less than folly to introduce such a novelty; the same appearing to thwart the verity of some of our old *Scottish Proverbs that ill bairns are best heard at home: Fools are fain of flitting: and a Bird in hand is better than two in the [18] bush*; esteemed no less by them than sometimes were the *oracles of Apollo*, at *Delphos*. *Yes Sir*, I have heard some, whose pretensions to *wit* were so great, that they were upon the borders of *Commencing Vertuosi*, snarling at this *intention*, who having been engaged in the debate betrayed their ignorance so far in the affair, as to inquire *whether the plan treated aneut, as the proper seats for a Collonie, from hence were Islands, or on the continent, if such so little versant in America, be com-*

petent Judges of a matter of this import, I leave it to your determination; and therefore, judging them altogether unworthy of being otherways noticed than to pity their ignorance, not envying them the satisfaction of their own *Opinions*, I proceed more at length to acquaint you with the *grounds I walk upon*, in resolving to be so effectually concerned in *promoting this design*, as to hazard myself, Family, and Fortune, in Prosecuting thereof: submitting very cheerfully the consideration thereof to your narrowest and most exact scrutiny, whether the *motives* prompting me hereto be founded upon *solid Reason* or not?

I find the most brutish of *Mankind* proposeth some end to himself, whereby he is actuated, [19] the *Voluptuous seeks after his pleasure*, the *Ambitious his preferment*, the *Coretous his treasure*; whence it is apparent, that all the *intentions* of man, how unrational soever, are actuated by one of these three great engines of *Jucundum Honestum* and *Utile*. In the effectual promoting this *design*, I judge a man may rationally have a prospect to all these three: I must confess, there is in the generality of *Mankind* a natural inclination to love the Land of their own Nativity beyond other places, tho upon several Considerations every way preferable, according to that of the *Poet*,

*Nescio quo natale Solum dulcidine cunctos,
Tangit & immemores non sinit esse sui*

Yet we see, it hath been frequently so ordered in *Providence*, that several, upon different *motives*, have been brought to quit their *Native Soyl*, and inclined to make choice of *strange and remote Countries* for their *habitation*; and it is clearly seen, that this their removal hath tended both to their honour and outward more plentiful accommodation; hence the *Northern Climates*, tho barren as to their *Soyl*, have been observed to produce bodies of *Men*, in greater abundance, [20] more strong and vivid than the more *Southern* and fertile places of the World; where great multitudes of people *pinched with the straits of their own Countrey*, have issued forth to more agreeable and *fertile places*. Thus the *Goths*, *Vandals*, and *Huns* overspread the *Roman Empire*, seating themselves in *Italy* and *Spain*, and a great part of *Africa*; hence the eruption of the *Franks* from the *Rhine*, upon the more pleasant Vallies of the *Loire* [and] *Seine*, and giving thus, rise to most flourishing Kingdoms.

I grant that upon the first view, it may appear somewhat of a *Novelty*, and that upon this consideration, the *Undertakers* may be lyable to the censure of such as pry not further into the Affair. Yet I am ready to believe that the more serious and Judicious will have other sentiments of this *Design*, when they consider, that not only is this practice warranted by the *Scripture*, but that the effectual prosecuting thereof, will be made clearly to appear, to be contributive as well to

the honor of the *Undertakers* as to their *particular Interest*, and likewise to the general *advantage of the Nation*. [21] The placing of a People in this or that Countrey, is from the *appointment of God*, the Apostle speaks of it *as grounded in Nature*, Acts 17. 26. *God hath determined the times before appointed, and the bounds of our habitation*, Deut. 2. 8. 5 and 9. *God would not have the Israelites meddle with the Edomites or the Moabites, because he had given them the land for a possession.*

I do not find any taking upon them to define what particular summons the first *Undertakers of planting Colonies* had, whether from the *mouth of God immediately* (as *Abraham* first and the *Children of Israel* thereafter,) or from the *advice and Counsel of men*: Yet that the *Wisdom of God directed them in this Course is evident from Moses* his testimony, affirming, *that he separated the sons of Adam, and set the bounds of their habitation*, Deut. 32. 8. So that whoever set on the work, *God acknowledgeth it as his own*: we read also in the 16th of the *Acts*, verse 12. *Of a Colony* (which is a company of People agreeing to remove out of their Countrey, and settle a City or Commonwealth elsewhere) *which God blessed and prospered exceedingly and made it a glorious Church.*

[22] *That Colonies* as other *States in Humane Society*, have their Warrant from *Gods direction and Command*, is apparent to all. No sooner was *Man* created, than he was commanded to *replenish the Earth, and subdue it*, Gen. 1. 26. By these words, and the repetition of them to *Noah*, Gen. 9 verse 1, We see a promise expressed (as the title of a *Benediction* and thereto prefixed.) So it may also be perceived, that they include a direction or command. *Calvin* sayes upon these words, *Jubit cos crescere & Simul benedictionem suam destinat*; and *Junius*, *pro ut rim intus indiderat sic palane mandatum, dedit curandæ propagationis & dominationis exercendæ.* And *Paræus*, *Jubit igitur replere terram, non solum generatione & habitatione, sed cum primis potestate cultu & usu, etsi vero nonnullæ orbis partes manent inhabitales, habemus nihilominus totius dominium, Jure Divino licet non habeamus totius orbis usum culpa & defectu nostro.*

If it be alledged, that tho it must be granted that the words have the force of a Precept, yet it was but to continue during the *Worlds Infancy* and no longer; upon due consideration [23] it will be found, that there is no ground here for such a *Limitation*: For tho some Commandments founded upon, and respecting some State and Condition of Men, received end and alteration, when the condition was ended; yet *Precepts* given to the body of *Mankind*, as these to *Adam* and *Noah*, receive neither alteration in the substantial, nor determination, while Men and any void places of the Earth continue: so that allowing this Commandment to bind *Adam*, it must bind his *Posterity*; and conse-

quently ourselves in this Age and our Issue after us, as long as the Earth yields empty places to be replenished.

Where there is an empty vacant place there appears hence to be Liberty for the *sons of Adam*, or *Noah*, to come and inhabit : *Abraham* and *Isaac* sojourned among the *Philistines* ; Yea, I do not see that either they bought or asked leave of the *Inhabitants* : By *sojourning* is meant a *constant residence* there, as in a *possession of their own*, although it be so termed, as if *they had been Strangers*, because they neither pretended to the *Sovereign Government of the whole Countrey*, neither did incorporate themselves unto the *Common Wealth of the* [24] *Natives* to submit themselves to their *Government* ; they did not buy that land to feed their Cattle, because they said, *there is room enough* ; intimating, *that the Natives were no wayes injured by their Neighbourhood* ; and so did *Jacob pitch his tents by Sechem*, *Gen. 34. verse 21.* *Hamor* said, *there is room enough, therefore let them sit down among us*, yea we see that in case the people who were former *Inhabitants*, did disturb them in their possessions, they complained to the *King*, as of injury done to them, as *Abraham* did, because they took away his well ; *Gen. 21. 25.* for his right thereto, he pleaded not his *immediate call from God*, for that would have seemed frivolous among the *Heathen*, but his own *industry and culture in digging thereof*, yea, we see the *King does not reject his Plea with, what had he to do to dig wells in their soil ?*, but, admitteth it as a *principle of Nature*, that in a vacant soyl he who taketh possession thereof, and bestoweth *Culture and Husbandry* thereupon, his right it is : the ground hereof being from the *Grand Charter* given to *Adam* and his posterity in *Paradise*, *Gen. 1. 28. Multiply and replenish the Earth. and* [25] *subdue it*, which Charter was renewed to *Noah*, *Gen. 9. 1. fill the Earth and multiply.* In the next place the gift of the Earth, is to the *Sons of Men*, *Psalms 115. 16.* this necessarily enforceeth their duty to people it. Were it not an injury done to the most High, to think *He does ought in rain ?* or that *He tenders a gift to Mankind*, which He never meant should be enjoyed : And what way can Men make benefit of the Earth but by habitation and culture ? Neither do I judge it a rational answer to this, *that God's intention is satisfied, if some part of the Earth be replenished and used*, tho the rest be waste, because we are still urged with the same difficulty, that the rest of which we receive no fruit, was never intended for us, because it was never God's mind *we should possess it.* If it be then granted, *that it hath been the mind of God, that Man should possess all the parts of the Earth* ; it must be acknowledged that we neglect our duty, and cross His Will, if we do it not when we have occasion and opportunity, and do little less than undervalue His blessing.

Does not also that Order which God annexeth to marriage, in His first institution, viz., *That [a] married Person should leave* [26] *Father*

and Mother, and cleave to another, warrant this practice; seeing frequently there is a necessity that *young married People should remove out of their Fathers Families, to live apart by themselves*; whereby new Families are erected. Now what are new Families but petty Colonies? and so at last removing further and further they overspread the whole Earth; so long therefore as there shall be use of Marriage there will be a warrant for deducing of Colonies from one place to another.

We find that Gods *directions* have a double scope, *Mans good* and *His own Honour*. That this Commandment of God is directed to Mans good, *Temporal* or *Spiritual* is more apparent: for it is most certain, that the *life of Man is made comfortable, affording a more plentiful supply in a large scope of ground*, which moves them to be so unsatiable in their desires, to *joyn house to house and land to land, till there be no more place*. Exceeding I grant, therein, the measure and bounds of Justice, and yet building upon a principle suggested by Nature, that a *large place best secures sufficiency*, as we see by Nature, Trees flourish fair, prosper well, and wax fruitful in a large Orchard [27] which would otherwise decay, if they were straitened in a little Nursery: These that are stronger Plants and better rooted, would increase, overtop, and at last starve the weaker sort. Do we not see it thus fall out in our Civil State, where a *few Men flourish best, furnished with Abilities, or best fitted with Opportunities*, and the rest wax weak, and languish as wanting room and means to nourish them. Now that the Spirits and Hearts of Men are kept in better Temper by *spreading wide*, will be evident to any Man who considers, *That the Husbandry of unmanured ground, and shifting unto empty lands, enforceth Men to Frugality, and quickeneth invention: and the settling of new Estates requireth Justice, and affection to the Common Good, and the taking of large Countries, presents a natural remedy against covetousness, fraud and violence, when every man may enjoy enough without wrong or injury to his Neighbour*. Whence it was that the *First Age*, by these helps, were renowned for *golden Times*, wherein Men being newly entered into their Possessions, were enforced thereby to *Labour, Frugality, Simplicity* and *Justice*, having neither leisure nor [28] occasion to decline to *Idleness, Ryots, Wantonness, Fraud, or Violence*: the ordinary fruits of well Peopled Countries, and of the abundance and superfluities of long settled Estates.

But that which should most stay our hearts is the respect unto Gods Honour, which is much advanced by this work of *replenishing the Earth*, whereby the largeness of his bounty is tasted by settling of Men in all parts of the World, whereby the extent of *His munificence to the Sons of Men* is discovered; the *Psalmist* tells us, that *God is much magnified* by this, that the whole Earth is full of his riches: yea, and the Red Sea too. Psalm 104. 24. And God when he would have *Abraham* know what he had bestowed on him, when he gave him *Canaan*,

tells him *to walk through it in the length of it, and in the breadth of it* Gen. 13. 17. Gods Honour is hereby advanced when together with Mens Persons, Religion is conveyed to several parts of the World, and all the quarters of the Earth *Sound with His Praise, and CHRIST JESUS takes in the Nations for His Inheritance, and the ends of the Earth for His Possession*; according to Gods Decree and Promise. *Psal. 2. 8.* [29] Seeing then it must be acknowledged, that even those Collonies which have been undertaken upon the desire either of disburthening full states of unnecessary multitudes, or of replenishing waste and void Countries, have a clear and sufficient Warrant from the *Mouth of God*; as immediately concurring with a special end that God aimed at in the first institution thereof, when Gods Honour and Glory, and next Mans Salvation is his own proper scope in this and all his wayes; it must be more necessarily acknowledged, that the desire and respect unto the publishing his Name where it is not known, and reducing Men who live without God in this present world, unto a form of Piety and Godliness, by how much the more immediately it suits with the mind of God, and is further carried from private respects, by so much the more it advanceth this work of planting Collonies above all Civil and Human ends, and deserves Honour and Approbation above the most *glorious conquests or most successful enterprises*, which ever were undertaken by the most renowned men which the *Sun* hath seen, and that by how much the subduing of *Satan is a more glorious Act, than a Victory over Man*; and the *inlargements of CURISTS Kingdom*, [30] *than the adding unto Mens dominions*; and the *saving of Mens Souls, than the prorision for their Lives and Bodies.*

It appears this end in Plantation hath been specially reserved for these latter dayes of the World, *seeing before CURIST the Decree of God that suffered all Nations to walk in their own wayes, Acts 14. 16*, shut up the Church in the narrow bounds of the promised land, and so excluded men from the propagation of Religion to other countries. And in the Apostles times, God afforded an easier and speedier course of *converting Men to the Truth by the gifts of the Tongues, seconded by the power of Miracles*, to win the greater credit to their Doctrine, which most especially and first prevailed upon Countries civilized, as the History of the *Acts of the Apostles* makes manifest. As for the rest, it is not questioned but God used the same way to other *barbarous Nations* which he held with these whom he first civilized by the *Roman Conquests* and mixture of their Collonies with them, that Religion might be afterwards brought in, seeing it cannot be imagined that Religion should prevail upon those who are not subdued to the rule of *Nature and Reason*. It may be [31] rationally conjectured that God did especially direct this Work of *Erecting Collonies* unto the *planting and propagating of Religion* in the *West Indies*, and that for divers reasons, which

ought to be taken into serious consideration, as affording the strongest motives which can be proposed to draw on the hearts and affections of men to their work. There are men of Note, both for Place and Learning in the Church, that, *conceive the course held by God from the beginning in the propagation of Religion, falls in the last age, upon the Western Parts of the World. It is most certain that from the first Planting of Religion among Men, it hath alwayes held a constant way from East to West, and hath in that line proceeded so far, that it hath extended to the uttermost Western bounds of the formerly known World ; so that if it make up any further passage upon that point of the Compass it must necessarily light upon the West Indies. And it is conceived with all, that our Savior's Prophecie, Matth. 24. 27, points out such a progress of the Gospel ; its true that the comparison there used, taken from the lightning, aims at the sudden dispersing of the knowledge of CHRIST by the Apostle Ministry, but [32] whereas it is known that the Lightning shines from diverse places of the Heaven, shewing itself indifferently, sometimes in the West, sometimes in the North or South ; It's judged probable that our Saviour does in this similitude, choose to name the lightning that comes out of the East unto the West, to express not only the shining out of the Gospel, but withall the way and passage by which it proceeds from one end of the World to another,—that is, from East to West.*

But passing by that only as a probable argument, the following seems to carry greater weight. The knowledge of CHRIST must certainly be manifested to all quarters of the World, according to diverse predictions of Prophets ratified and renewed by Christ and his Apostles, but that the knowledge of Christ hath been never as yet fully discovered to these *Western Nations* is clearly demonstrated, seeing till the time that the first Planters went over from England, not many years since, no History for 500 years before Christ, ever mentioned any such Inhabitants upon earth ; much less left any record of passage to them or commerce with them ; so that, unless we should conceive a miraculous work of conceiving knowledge without means, it cannot be imagined [33] how these Nations should have once heard of the Name of CHRIST ?

But further, what shall we think of that almost miraculous opening the passage unto, and discovery of these formerly *unknown Nations*, which must needs have proven impassable to former Ages, for want of the knowledge of the use of the Load-stone, as wonderfully found out, as these *unknown Countreys* by it. It were little less than impiety to conceive, that God, whose Will concurs with the lighting of a sparrow upon the ground, had no designe in directing one of the most difficult and observable works of this Age ; and as great folly to imagine that He who made all things, and consequently Orders and Directs them to his own Glory, had no

other scope, but the satisfying of Men's greedy appetites, who thirsted after the riches of the new World; And to tender to the bloody and cruel Spaniard the objects of such barbarous cruelties, as the World never heard of. We have then ground to conceive, that God in that great Discovery, aimed at this, that after he had punished the Atheism and Idolatry of these Heathens, and brutish Nations by the Conquerors' [34] cruelty; and acquainted them by mixture with some other peoples civility, he might at length cause the Glorious Gospel of JESUS CHRIST shine out to them as it did to other Nations, after the sharp times of the bitter desolations thereof betwixt the Romans and them. That this Nation is able and fit to send out Colonies unto foreign parts will evidently appear to any who considers our overflowing multitudes, this being admitted for a received principle, that Countries superabound in people, where they have more than they can well employ, seeing we know men are not ordained to live only, but withall and specially to serve one another, through love, in some profitable and useful calling: and tho it be granted, that this Land by Gods ordinary blessing yields sufficiency of Corn and Cattle for more than the present inhabitants; yet that we have more people, than we do or can profitably employ, will appear to any man of understanding, willing to acknowledge the truth, and to consider that many among us live without employment either wholly or in the greatest part.

[35.] We have as much opportunity as any Nation, to transport our men and necessary provisions by Sea unto these countries, without which advantage they cannot be peopled from any part of the World: from this Christian part at least, and how useful a Neighbour the Sea is to the furthering such a work, the example of the Grecians and Phenicians, who filled all the bordering coasts with Colonies, does sufficiently prove unto all the world; neither is it to be doubted, but the first Planters wanting this convenience,—as Abraham in his removing to Charan first, and to Canaan afterwards—must needs have spent much time, and endured much trouble in passing their companies and provisions by land, over Rivers, and through Woods, and Thickets by unbeaten paths.

I know it will be asked, what call or warrants a man hath to remove when he is well where he is? Or what warrant particular men have to engage their Persons, and Estates in this employment of planting Colonies. As for the first of these, we find we may remove for the gaining of knowledge, our Saviour commends it in the Queen of the South, that she came from the [36] uttermost ends of the earth to hear the wisdom of Solomon. Matth. 12. 21. And surely with him she might have continued for the same end, if her Personal Calling had not recalled her home. We find it also allowable to remove, and travel for Merchandise and Gain-sake; Daily Bread may be sought from afar. Prov.

31. 14. Yea our *Saviour* approveth travel for *Merchants*, *Matth* 13. 45, when He compareth a *Christian* to a *Merchant man seeking Pearls*; for he never fetcheth a Comparison from any unlawful thing, to illustrate a thing Lawful, the comparison from the *unjust Steward*, and from the *Thief in the night*, not being taken from the *injustice of the one*, or the *Theft of the other*, but from the *Wisdom of the one*, and the *Suddenness of the other*, which in themselves are not unlawful.

We find from *Scripture*, it's lawful to remove to plant a *Collonie*, that is, a *Company agreeing together to remove out of their own Countrey, and settle a City or Common Wealth elsewhere*; of such a *Collonie* (as is already mentioned) we read in *Acts* 16. 12, which *God blessed and prospered exceedingly and made of it a glorious Church*. Nature teacheth *Bees* to [37] do so, when as the *Hive* of a *Kingdom* is so full, that *Tradesmen* cannot live one by another, but eat up one another, in this case it's lawful to remove.

But further, *God* alloweth a man to remove, when he may employ his *Talents* and *Gifts* better elsewhere, especially when he is not bound by any particular engagement to the place where he is; thus *God* sent *Joseph* before to preserve the *Church*. *Joseph's* *Wisdom* and *Spirit* was not fit for a *Shepherd*, but for a *Counsellour of State*, and therefore *God* sent him to *Egypt*.

Where people find themselves straitened in point of their opinion, no reasonable man will question their call to go where by *Law* they are allowed that *Freedom* in this point which they themselves would desire; this is one great encouragement to any so circumstanced, to remove to any of the new *Plantations*: the interest of which obligeth to lay this as a fundamentall, that no man shall be in any way imposed upon in matters of principle; but have their own freedom without the least hazard.

It will certainly be allowed by all that in the present circumstances of the *Protestants* in [38] *France*, where the free exercise of their *Religion* is denied to them, it is very allowable for them to remove where without hazard they may live in the free exercise of their own principles, being upon that account obnoxious to no hazard as guilty of the breach of the *Law*.

I believe some may object, that no man undertakes this task without an extraordinary warrant, such as *Abraham* had from *God*, to call him out of *Mesopotamia* to *Canaan*: their opinion appears to be founded upon this argument, that the planting of *Collonies* is an extraordinary work; and therefore those who undertake it, must have an extraordinary call.

In answer to this I think it cannot be granted, that the planting of *Collonies* is an extraordinary work this argument lying strongly against it.

That duty which is commanded by a perpetual law, cannot be accomplished extraordinary.

But the sending out of Colonies is commanded by a perpetual Law.

Therefore it is no extraordinary duty.

Now that the *commandment is perpetual*, [39] hath been proved, first, because *it was given to Mankind*: 2. Because it hath a *ground* which is *perpetual*, to wit, *the emptiness of the earth*, which either is so, or may be so, while the World endures; for even those places which are full, may be emptied by *Wars*, or *sickness*, and then an argument passeth as strongly the contrary way, the undertaking of an *ordinary duty* needs no other than an *ordinary warrant*, but such is planting of a *Collonie* as being undertaken by *Virtue of a perpetual Law*, therefore the undertaking to *plant a Collonie* needs no extraordinary warrant.

I must grant *Abraham's* undertaking was in many things extraordinary, and therefore needed an *immediate direction from God*; he was to go alone with his Family and Brethren, to such a certain place far distant, possessed already by the *Canaanites* who were to be expelled, that land was to be wholly appropriate to himself and his Issue, he was not to plant it at present, but only to Sojourn in it, and walk through it *for a time*: Now none of these circumstances fit our ordinary colonies: and consequently *Abraham's* example is nothing to this [40] purpose, because the case is different, though in some other things alike.

It may be further objected, *that the Men may adventure upon the Work, upon an ordinary Warrant, yet none can give that but the State; therefore it may be judged that a Command from the Highest Authority unto such as engage themselves in this Affair is necessary: That the State hath power over all her Members to command and dispose of them within the bounds of Justice*: is more evident than can be denied: but this power is diversely executed, sometimes by *Command*, sometimes by *Permission*, as in preparations to War; sometimes Men are compelled to serve, sometimes they are permitted to go *Volunteers*: sometimes the *Supreme Power* takes care of the whole business: sometimes as in *Musters* commits it to *Delegates*. *If the Government* then proclaim *Liberty* to such as will go about such a design, and *commit the care to themselves, to associate whom they think fit*, it cannot be denied but the State hath given a *sufficient Warrant*, as will appear by your perusal of the *Advertisement* published thereanent, adjoined to the close hereof.

[41.] Neither does it appear that any State did more, the *Romans* use was to proclaim, *That they intended to plant a Collonie of such a number in such a place, and as many as would give in their names should receive so many Acres of ground, and enjoy such other privileges as they thought fit to grant them*, which they then expressed: those who gave in their names were enrolled till the number was full, and then

they had certain Commissioners appointed to see all things ordered accordingly, and every Man put in possession of his Inheritance. Neither did the State interpose their Authority, in assigning and choosing out the Men, but left it free and voluntary to every Man to take or leave, seeing nothing can bear out the Hazards and inconveniences of such undertakings, *but a willing mind*. Men can digest any thing which themselves do choose or desire, but a Commandment makes a pleasant thing harsh, how much more harsh things intolerable !

By what is above written, I apprehend you will find it sufficiently cleared, that the *prosecuting this Design is warranted from the Word of God* : it remains for your further satisfaction, as to the reasonableness thereof to be made no less apparent, that the [42] *effectual carrying on thereof will contribute to the advantage of the Nation in general, and to the honour and particular interest of those who are active Undertakers therein* ; and I am much in a mistake, if I make not that appear as clearly as the other, but before I begin to condescend upon particulars, I judge you will not find it improper in the first place to offer to your consideration a general Survey of the present circumstances of the Nation, whereby you will the more easily be satisfied of some particulars properly to be noticed, for your more clear conviction of the truth of this assertion.

Tho there be some particular parcels of *Our Countrey*, here and there to be found, which both for the *nature of the Soil*, and other pleasant and agreeable accommodations, are in themselves sufficiently desirable, yet where I have the general prospect thereof in my view, I find myself obliged to acknowledge it is not among the most *fertile places of the world*, to say no worse ; but though we cannot compete with *Our Neighbour Nation* as to the fertility of the soil in general, or the flourishing of trade ; in some things it will be acknowledged we are comparatively nothing inferior to them, this kingdom hath plenty of Inhabitants, [43] whereof yearly it may *cast a Fleece*, without the least prejudice of the *general interest of the Nation*, as actually it hath done since the year 1618, that the wars began in *Germany* : it is sufficiently known what *multitudes of People have gone hence yearly since that time* : the truth of this will appear to those who consider, that in the *Swedish Army* at one time there were 27 *Scottish Colonels*, and that *Douglas Regiment in France* hath since His Majesty's Restoration, taken hence UPWARDS of thirty thousand men, besides what number have during all that time gone to *Flanders and Holland*, where there have been three Regiments of *Scots Men* of standing Forces constantly till this day kept in pay, and are at present yet standing ; whereby is occasioned the transport of a considerable number of men yearly for their recruits.

Sir, you may easily consider what an interest *Scotland* might have had in *America*, had all those who have gone from their native country

in quest of Honour and Fortunes, to these places, steered their course to this Earth : there is hardly any noble family in *Scotland*, or Gentlemen of any note, but ere this time [44] should have had some interest in *America*.

If these had settled in one place, it should have been a very considerable Collonie ere this time. *Women also of our own Nation, would not have been wanting to these Men*, by which the foundation of a very flourishing Collonie should have been laid. You know as well as I, that *Our Countrey People want not their sagacity in Countrey affairs, they know abundantly well how to manage their own Business, according to their Capacities, they are painful and laborious, inured to hardship*; those who know how to make a Lively-hood in this Countrey, will certainly know much better how to live in a more Fertile Soil, where their Pains and Industry would be more *plentifully rewarded*, than can be expected from the *natural barrenness of our Native Soyl* when compared with the Fertility of those places in *America*.

It is on the other hand sufficiently known to all, who are in the least acquainted with *Our Scottish Histories*, That, *Our Gentry, who have ordinarily the advantage of Education whereof our Commonality are deprived, are in nothing inferior to any Gentry in Europe: by this I mean not only* [45] *Our Nobility and Gentry*, and the *Eldest Sons* their Representatives, but the *younger of both*, to whom it is observed, *Nature gives no less Viracity of Spirit than to the Elder (if not more,)* Though by Our Law they are deprived of being *proportionably sharers in their Fortune*: Whence it is, that those of them who have any Spirit, sensible of this disadvantage *choose rather to go abroad upon their own Purchase, than to be obliged to a slavish dependance upon the elder Brother for a Lively-hood*, which by the custom of the Country, these of no Spirit are frequently engaged to, how insignificant so ever, he may be.

I desire to know *if a more easy or honourable way could be proposed? Or a more probable mean to expect a comfortable Lively-hood, than with what small Fortune will be allowed by their Parents, (from the elder Brothers Estate) to be settled in such a place as America as shall be judged a proper seat for those who go upon such a Design from this Nation?* Their Parents can always with ease provide them with a convenient number of the Commonality, as servants, who in this Countrey can never be wanting to Gentlemen. *Our Common* [46] *People* will quickly come to understand their *particular interest in this affair*, seeing after their *four years service, they may rationally propose to live more plentifully and more at ease, after a very little moderate pains and labour, then they can do at home when they have spent their whole time, after the ordinary method of this countrey, according to the accustomed slavish toyl they are used to.*

I am ready upon very good ground to believe that within a few years, the elder brothers left at home entangled in the ordinary debts of the Family: and so in a manner *what by that and what by the other publick burthens, engaged in a most slavish life, when he is every morning in the reverence of his Creditors*; will quickly come to envy the happiness of the younger brothers in *America*, when they come to be informed in what plenty they live, recreating themselves with no less pleasant, than *harmless divertisements that Countrey in great plenty affords, and divertising primitive recreations, where every one shall have* such a competent sufficiency for himself, as he shall not have the least occasion of *envying his Neighbour upon account of his fortune* [47] *each having for himself what in reason can be judged a comfortable accommodation.*

But however weighty this consideration may be, I leave the *further prosecuting* thereof to offer to your *serious thoughts*, a point of no less moment, as being in my weak judgment more *material*, and of greater *weight* in these times, than the other: *are not distractions of this Kingdom, anent matters of Opinion, in reference to Church Government, come to that height that the sad and fatal consequences thereof, are astonishing to all sober persons: many who upon some scruple, cannot comply with the present Model of Government, are yet confounded and ashamed, to consider the unwarrantable practices of some, who give themselves out as owning their principles, while their inhuman and barbarous practices are a scandal not only to the Protestant Religion, but inconsistent with Christianity, Yea, Humanity itself! what the further result of these differences shall be, I will not take upon me to determine* [48] only the consequences are like to be not a little prejudicial to the *Protestant Religion*; each of the Parties endeavours to blame the other, without any design of *Accommodation*, or yielding one to another. There is nothing impossible to the *Omnipotent Power*, But a *reconciliation of the differences among our Churchmen appears improbable in the highest degree*: So fixed both Parties do seem to be in their *own Principles*. If *Mack-square* and *Brown* vent publickly the *justification of their Tenets, for the further encouragement of their own Party, in opposition to the other*, The *Bishop of St. Asaph* will not be behind with them, seeing rather than not to have the occasion of reaching them a blow, he chooseth *affrontedly in the face of the World, to cuff off from his Native Prince, Forty of his Royal Ancestors*. I desire not to reflect upon any of his *Lo: Character*, but I may be allowed without giving offence to say, *whaterer demonstration his Lo: hath given in that piece of reading, he hath evidenced small sense of gratitude to so bountiful a Prince, to whom he owed so much, to have so treated him; as his malice against our Nation is thereby made* [49] *sufficiently apparent, so you now see his gross ignorance in that particular laid open to the world by a very ingenious*

Pen (Sir G. Mc K*) which probably may have their effect upon his *Lo*: as to oblige him for the future to treat in matters wherein he is more versant, and which are more becoming a *Gown man*, than so publicly to endeavour to affront a *Nation*, by *injuring their King and his own*.

But to return from this degression, you see so it is now judged the interest of the *Government* altogether to suppress the *Presbyterian Principles*; and that in order thereto, the whole force and bensill of the *Law* of this Kingdom, are levelled at the effectual *bearing them down*, that the rigorous putting these *Laws* in execution, hath in a great part ruined many of these, who notwithstanding thereof find themselves in conscience obliged to retain these principles; while in the other hand *Episcopacy* is by the same *Laws* supported and protected. I would gladly know what other *rational medium* can be proposed in their circumstances than either to comply with the *Government*, by going what length is required by *Law*, in conforming; or to retreat where by *Law* a *Toleration* is by *His Majestie* allowed; such a [50] retreat doth at present offer itself in *America*; and is nowhere else to be found in *His Majesties Dominions*. I would be informed if such as cannot comply with the *present Laws* would not act more rationally, to bestow what is left them in making an interest in that place, transporting themselves thither where they are by law allowed the *free exercise of their principles*, beside what other accommodations they may upon just grounds propose to themselves, rather than by still living where they are resolved not to comply with the *Government*, expose themselves wholly to ruin which appears absolutely inevitable otherways than by a full compliance with the *Laws*, whereby may be obviated the penalty such will otherways be lyable to, the exacting whereof will certainly tend to their ruin in the close.

And to conclude, you will find no small ground of further encouragement to such as are resolved effectually to bestir themselves in carrying on this *design*, from the consideration of the great success of the only undertaking of this Nature this Kingdom was ever concerned in; whereby is made clearly evident that we want not people for managing such [a] *design*. It was but about the latter end of *King James the sixth* [51] his dayes, that we began to be concerned in sending some people to *Ireland*, and yet the small beginning that design had, from the undertaking of a very few *Gentlemen*, hath come this length that I am informed by *Creditable Authors*, that *Kingdom this day could bring to the fields an hundred thousand of our countrey men*: Yea, I had an accompt thence lately from an *acquaintance* of mine, who was serious in advancing this design, That the *Province of Ulster*, where most

* Sir George Mc Kenzie. Ed.

of our Nation are seated, could spare Forty thousand Men and Women to an America Plantation, and be sufficiently Peopled itself. The Gentleman who gave me this Information, is since settled in *Maryland*, the account he sends of that Country is so encouraging that I hear a great many of his Acquaintances are making for that Voyage; one thing is considerable in this to be observed, that the difficulties of such an undertaking were far more terrifying at that time, than now to our Country Men, seeing a Voyage from the *West of Scotland to Ireland*, not 16 hours sailing, was then more formidable generally to People, who otherwise would have undertaken willingly the Voyage, [52] than now from *Lieth to America*, whither several Ships have gone without the least discouraging accident.

But now to come to the Answer of your most material Question, to wit: *What I judge the most proper place in America, for a seat to those who would resolve to go hence upon such a Design.* For your satisfaction in this, I shall very freely tell you my own opinion, that having for some time made it my work to consider all the *Coast of America*, from the River of *Canada Northerly* to the River of *Mary Southerly*, in that part of *Florida* now called *Carolina*; having in my search had the opportunity of informing myself of the different nature of the soils, the temperature of the Climate, the healthfulness of the places, the Constitutions of the several Governments, the conveniences of Access, the advice given to *Phaeton*, appears very apposite, *medio tutissimus ibis*; and so *East Jersey*, upon the River of *Hudson*, is the place I find myself obliged to prefer to any other of the *English* Plantations upon that coast; upon some or other if not most of the above named considerations.

That you may be convinced of the truth of this, I here send you what description I have [53] of that place, as it is narrated in a Treatise there anent, emitted lately by the *Scots Proprietors*; I send you also the doubles of several letters, from thence, all agreeing in one, to the advantage of that place, confirming all spoken in the said Treatise: after your perusal of what does follow, you will see whether I have ground or not to make this choice.

It is time now to show how some of our Countrymen, in order to [advance?] so advantageous a Project, have already purchased a considerable Interest in a Plantation, which is justly esteemed not Inferiour, if not beyond, any place upon the whole continent of *America*, belonging to the *English* Dominions, called *East-New-Jersey*. The deduction of the right of it is this:

The KING by Patent to the Duke of *York* granted a great tract of Land lying betwixt *Virginia* and *New England*. It was formerly in the hand of the *Dutch*, and considerably improved by them, and called *New Netherlands*, And by treaty after the first *Dutch Wars*, Surrendered

to the King that part of it lying betwixt *Delaware* and *Hudsons River* called *New-Cesaria*, or *New Jersey*; which is betwixt the 39 and 41 Degree Northern Latitude; was by the [54] Duke of York granted to *John Lord Berkley* and *Sir George Carteret*, That part which belonged to the *Lord Berkley*, being assigned to *Edward Byllinge*; afterwards, by a deed of Partition betwixt the said *Edward Byllinge* and *Sir George Carteret*. The West Part lying upon *Delaware River*, was allotted to *Edward Byllinge* for his share, and the *East* part lying upon *Hudson's River* nearest to the Province of *New York*, was appointed to *Sir George Carteret* for his share; Which part, now called *East-New-Jersey*, is from *Sir George Carteret* conveyed to twelve Persons in and about *London*, who have since conveyed an half to other twelve, so that as well the Right of Government as the soyl, standeth now in 24 Proprietors, in favour of some of whom the Duke of York has been lately pleased to make a new Grant of Confirmation, both of Soyl and Government to the twenty-four Proprietors, with the same Power and Priviledges, he has in his Patent from the King, which are as large as any other Plantation hath, for the Words of the *Dukes Patent* are as followeth:

[55.] *The Patent from the King, to James Duke of York, &c.*

[Then follows the patent, extending to the second line of the sixty-fifth page, inclusive, which it is considered unnecessary to insert, as its tenor is given in several other works, and the whole of it in *Leaming and Spicers Grants and Concessions*, p. 3; agreeing with the copy given in the "Model," excepting that the latter bears date 29th June instead of 12th March, the true date; a discrepancy for which it is impossible to account. Ed.]

The Scots Proprietors are the Earl of *Perth*, Lord High Chancellor of SCOTLAND, his Brother, the Viscount of *Melford*, Secretary of State for this Kingdom, and the Viscount of *Tarbet*, Lord Register; *Five hundred thousand Acres*, being seven parts of the 24 belongs to these three, and some other Gentlemen.

This Province or Collonie lyes betwixt 39 and 41 Degrees of Latitude, being about 12 Degrees more to the South than the *City of London*. It is in the same Climate with the Kingdom of *Naples*, and *Montpelier* in *France*. The Summer is hotter, and longer than in *England*, and the Winter colder and shorter, the dayes about an hour longer in Winter, and as much shorter in Summer. Is bounded South East with the Maine Sea, East by that vast Navigable Stream called *Hudson's River*, which divides this from the Province of *New York*, West by a Line of Division which separates this Province from *West-Jersey*, and North upon the Maine Land; And extends itself in length upon the

Sea coast and along *Hudson's River*, one [66] hundred *English* miles and upwards.

The Situation of this Countrey is just, as it were, in the Centre of the *English plantations* in *America*, betwixt the South parts of *Carolina*, which is over hot; and the North parts of *Pennuquid*, next *New Scotland* which are coldest; so that its convenience of situation, temperature of the Aire, and fertility of the Soyl is such, that there is no less than seven Towns considerable already. (*viz*) *Shrewsbury*, *Middletown*, *Berghen*, *New-wark*, *Elizabeth-town*, *Woodbridge*, and *Piscataway*, which are well inhabited by a sober and industrious people, who have necessary provisions for themselves and families, and for the comfortable entertainment of Travellers and Strangers.

And the Quit-rents or Fewes (as they are called) of these Towns and other plantations, already in the Countrey, yields to the 24 Proprietors about 500 *lib : sterling*, yearly Revenue, and the Air of this Collony is experimentally found generally to agree well with *English* Constitutions, and consequently with ours.

For Navigation it hath these advantages, not only to be situate along the navigable [67] parts of *Hudsons River*, but lyes also fifty miles along the Main Sea, and near the midst of this Province is that noted Bay for Ships within *Sandy Hook*, very well known not to be inferiour to any Harbour in *America*, where ships not only harbour in greatest storms, but there Ride safe with all Winds, and sail in and out thence as well in *Winter* as *Summer*. For Fishery the Sea-banks are very well stored with variety of Fishes, not only such as are profitable for Exportation, but such as are fit for Food there; There are *Whales*, *Codfish*, *Colling*, and *Hake-fish*, and large *Mackerel*, and also many other sorts of small *Flat fish*. The Bay also, and *Hudsons River*, are plentifully stored with *Sturgeon* and other *Scale fish*, *Eels*, and *Shell-fish*, as *Oysters*, in abundance.

This Countrey is also plentifully supplied with Lively springs, *Rivulets*, *Inland Rivers*, and *creeks*, which fall into the Sea, and *Hudson's River*; in which also there is varietie of Fresh-fish and water Fowl.

There are little hills from *Rariton River*, which is about the middle of this Province, that go to the very *North West bounds* of [68] it, in which are abundant of good Mill Stones to be had, and there are many, both *Coru* and Saw Mills set and setting up already, also on the other side of these Mountains, there are brave fresh *Rivulets*, fit for setting of *In-Land Towns*, and a great deal of Meadow-ground upon the banks thereof, so that there is abundance of Hay to be had for Fodering of Cattle in the *Winter* time; and these Meadows show the Countrey is not altogether covered with Timber.

Its true, the first difficulty meets People in Planting there, is the

cutting down Wood (Tho having some Meadow intermixt already, well covered with Hay, is a great ease) yet the trouble is compensated by the advantage, which the timber, being cut down, yields, being good Oake, fit for Shipping and Masts: and also Chesnuts, Walnut, Poplar, Cedar, Ash, Fir; And also, by the fertility of the Soyl, being cleared, which yields a vast increase not only of *Indian* Corn, which is a very wholesome Food, but of *English* grain, as Wheat and Barley; whereof it usually yields betwixt the 20 and 30th fold, and with far less labour (the timber being once removed) than in *Britain*. And to show the labour of cutting down the Trees, and clearing the ground, is not so great as [69] some may Imagine; It is known by experience, that two men arriving there in *September* or *October*, may clear as much ground as usually brings by Harvest following twenty Quarters, that is about 40 *Scots Bolls* of grain.

This Countrey also, produceth good Flax and Hemp, which they now Spin, and Manufacture into Linnen Cloth, and the very Barrens there (as they are called) are not like most in *Britain*, but produce Grass fit for Grazing Cattle in Summer time. There is also upon Ground (already cleared) store of good *English Clover Grass* growing; the Countrey is well stored with wild Deer, Conies, and wild Fowl of several sorts, as Turkeys, Pigeons, Partridges, Plovers, Quails, wild Swans, and Geese, Ducks in great plenty. It produceth variety of good and delicious Fruits: as Grapes, Plums, Mulberries, and also Appri-cocks, Peaches, Pears, Apples, Quinches, Water Mellons, which are in *England* planted in orchards and Gardens, but grow there with far less labour; and many more Fruits, which come not to perfection in *England*, are the more natural product of this Countrey. It is thought Olives would grow well there, and [there] being store of [70] Mulberry Trees, Silk worms would do well there: for they were tryed in *Virginia*, and proved very well, if the laziness of the People, and there being wholly set upon Tobacco, and the Interest of Merchants who were afraid it might spoil their Silk-Trade from the *Straits*, had not hindered.

To shew how Fruit-Trees do advance in that Countrey, it is credibly reported: that about *Burlingtoun, in West Jersey*, which is [more?] *Northerly* than the greatest part of this Province, from an Apple-tree Seed in four years, (without grafting) there sprung a tree, that in the fourth year bore such quantity of Apples, as yielded a barrell of Syder.

There is there also, great store of Horses, Cows, Hoggs, and some Sheep, which may be bought at reasonable prices with *English* money, or *English* Commodities; or man's labour where goods and money are wanting.

For Minerals, It is thought there are not wanting of several sorts,

For there is an Iron work already set up, where there is good Iron made; And also, there is discovered already abundance of Black Lead.

[71] It is exceeding well furnished with safe convenient Harbours for shipping, which is of great advantage; and affords already for Exportation, great plenty of Horses, and also Beef, Pork, Pipe staves, Bread, Flour, Wheat, Barley, Rye, *Indian* Corn, Butter, and Cheese; which they export for *Barbadoes*, *Jamaica*, *Neris*, and other adjacent Islands, as also to *Portugal*, *Spain*, and the *Canaries*; their *Whale Oyl*, and *Whale Fins*, *Beaver*, *Mink*, *Raccoon*, and *Martine-skins* (which this Country produces) they transport for *England*.

The *Indian Natives* in this Country are but few comparative to the Neighbouring Collonie; and these that are there, are so far from being Formidable, and injurious to the Planters and Inhabitants, that they are really serviceable and advantageous to them, not only in hunting, and taking the Deer, and all other wild Creatures, and catching of Fish, and Fowl fit for food, in their seasons; But in the killing and destroying of Bears, Wolves, Foxes, and other Vermin, whose Skins and Furs they bring the *English*, and sell them at less price than the value of the time [81] that people must spend to take them. Like as—that this Collonie may be founded in Justice, and without any thing of Oppression,—all that is already Planted is truly Purchased from the *Indians*, so there is a great deal more of the Province cleared by their consent; and all is intended by paction with them to be obtained; so that whoever Purchases, or Plants under the Proprietors: shall be freed of that incumbrance: and if there were any hazard from the *Indians*, and really there is none, yet this Province could hardly be in any danger: In respect that to the *North*, upon the *Main Land*, from whence the hazard if any must come, the Province of *New York* comes betwixt it and them, and 20 miles and more, above upon *Hudsons* River, there is a Fort called *New Albany*.

There were Constitutions of Government made by the Lord *Berkley*, and Sir *George Carteret*, in which such provision was made, both for Liberty of Religion, and Property, that the Province hath been considerably Peopled and many resorted there from the Neighbouring Colonies, so that the Planters are able already to Muster 500, well Armed Men.

[73] [Then follow “The Concessions”—which it was deemed unnecessary to insert here, as they are preserved in “New Jersey Grants and Concessions”—the Elizabethtown Bill in Chancery, and in Smith’s History, and their purport given in several other works; They occupy of the book from page 73 to (7th line of) page 101, inclusive. ED.]

By this *Constitutional Government* by the Lord *Berkley*, and Sir *George Carteret*, such provision is made both for *Liberty of Religion*

and *Property*, that the *Province* hath been considerably peopled ; many resorting thither from the *Neighbouring Collonies*, beside what have gone from *England* and this Kingdom, within this few years, so that the planters are able to *muster 600 well Armed Men*.—The *Proprietors* have framed a new *Scheme of Government*, which is not yet fully concluded on, but it is intended rather to be an enlarging, than an abbreviation of the former, and making more easy, and advantageous for the *Inhabitants*, the chief parts of it are.—

That the 24 *Proprietors* shall choose a [102] Governour, 16 of them have a conclusive Vote in it, after the death of him now chosen, he shall continue but for 3 years, and be lyable to the *Censure of the Proprietors and great Council*, and punishable if he transgresses. There is a great *Council* to meet once a year (and sit, if they see meet, for three *Months*) consisting of the 24 *Proprietors*, and 28 chosen by the *Planters*, and *Inhabitants*, two thirds Conclude, the one half of the *Proprietors* assenting ; and *no money can be raised, or Law made, to touch any mans Liberty or Property but by this Council*. There is a Common Council to sit constantly, Consisting of the 24 *Proprietors*, or their *Proxies*, and nine chosen out of the *Representative of the Planters*, in all 33, to be divided into three *Committees*, 11 to each, one for the Publick *Policy* ; One for the Treasury and *Trade*, and one for Plantations.

To avoid *Lording over one another*, No man can purchase above the 24th part of the Country ; and on the other hand, least any should squander away their Interest, and yet retain the *character of the Government* that belongs to *Property*, and thence be capable to betray it, as not being bound by Interest, [103] there must be a suitable quantity retained, otherwise the Title in the Government extinguishes in him, and passes to another, to be Elected by the *Proprietors*, that *Dominion* may follow *Property*, and the inconveniency of a *Beggarty Nobility and Gentry* may be avoided.

No man can be judged in any cause, either Civil, or Criminal, but by a *Jury* of his Peers, and to avoid in that all *Caballing*, the names of all the County or *Neighborhood*, Capable to be Chosen, are to be writ on little pieces of *Purchment*, and the number of the *Jury* to be taken out by a Child *under 10 years of age*. And the *Proprietors* as well as others are to be lyable to the like tryall, and not under any *Exception*.

Liberty in matters of *Religion* is established in the fullest manner. To be a *Planter* or *Inhabitant*, nothing is required but the *acknowledging* of One Almighty God, and to have a *Share in the Government*, a simple profession of faith of *Jesus Christ*, without descending into any other of the differences among Christians, only that *Religion* may not be a cloak for disturbance ; who ever comes into the *Magistrature*, must declare [104] they hold not themselves in conscience obliged, for *Religions*

sake, to make an alteration, or to endeavour to turn out their partners in the Government, because they differ in Opinion from them, and this is no more than to follow that great Rule, *To do as they would be done by.*

These are the *Fundamentals*, which are not alterable by any Act of the great *Council*, as other things, by the voices of 2 thirds, but only by an universal agreement; so it is hoped that this hint will satisfy all sober and understanding people, what Encouragement such a Government may give.

For Husband-men that have a stock, able to transport themselves and Families, with a few servants, and to have but a 100 *pound Scots*, or a 100 *Merks more*, to carry over in Commodities, they shall have upon their arrivall 100 *Acres of good ground*, measured out to them, or above, not exceeding 500 *Acres*: And for their encouragement, shall for the first 7 years pay nothing, and then have what they please, not under 100, nor exceeding 500 *Acres*, confirmed to them, and their heirs for ever, paying half a Crown [penny?] an *Acre*, never to be raised upon them: And [105] for the Charge of the first year, they may easily Calculate, carrying over as much *Oat-meal* as will serve them *Bread*, and the freight will be inconsiderable, and they will get flesh enough in the Countrey for killing without charge, and will be able to clear more ground the first winter, than will doubly serve their Families after the first harvest, so that they will only have to buy, with the Commodities they carry over with them, seed and Beasts.

The Charge of *transportation*, is, for every *Man or Woman* 5. lib. sterling, passage and entertainment; for *Children under 10 years of age*, 50 *shillings*; and *sucking children nothing*; 40 *shillings for the tun of goods, and often under.*

The Voyage is judged less *Sea hazardous* than either to *Holland or London*, and if there be any tolerable winds, it is easily made in 6 weeks. There went a ship last harvest to *West Jersey*, from the Road of *Aberdeen*, and they came to *Delaware River mouth* in 8 weeks, though they had great Calmes; and of betwixt 30 and 40 Passengers that went out of *Aberdeen*, several *women and children*, not above 4 of them had been at Sea before, not one dyed, nor was sick by the way.

[106.] For *Ordinary servants*, who are willing to go over, after 4 years service from the time of their arrival there, during which time they shall be well entertained in *meat and cloathing*, they shall have set out to each 25 *Acres to them and theirs forever, paying 2 pence an Acre, as much Corn as will sow an Acre, and a suit of new cloaths*: Now, considering that there is 5 *pound sterling* payed for their Passage, these are good terms, and then, after the term of their service is expired, they will gain more in one year there than they can do in two at home, towards the gaining of a Stock to their land; and it may be easily conceived that they will be well treated by their Masters, since it is their

Interest to do so there more than here, for that they would be Considerable Losers either by their Death, or sickness, being out so great an advance for them, if by any hardship, they shall be disabled to serve out their times.

All sorts of Tradesmen may make a brave *lively-hood* there, such as *Carpenters, Ship-wrights, Rope-makers, Smiths, Brick-makers, Taylors, Tanners, Coopers, Mill-wrights, Joiners, Shoe makers, &c.*, and any such like, who are [107] willing to go serve the four years, not having to transport themselves, *shall in consideration* of their trade, have (after the expiring of their Service) 30 Acres, 2 pence the Acre, as much Corn as will sow 2 Acres, a cow and a Sow, and for the encouragement of any such Tradesmen, who are willing to go over and transport themselves, they shall have the like quantity of Land, at the same rent, and the *Proprietors* will oblige themselves to find them work for a year after their arrival, at as good Rates as they can have here, untill they furnish themselves with some stock to make better advantage upon the *Place*.

We will not encourage any to go there in expectation of *Gold and Silver mines*: yea, tho there were such in the Countrey, we should not be curious nor industrious to seek them out: being besides the Toyl and Labour, but occasions [of] envy, and Emulation: Nor yet is there *Sugar or Indigo* there, or *Colton*, nor any store of *Tobacco*, tho it grows there very well, But we consider it not our interest to employ much ground on it: The *Riches* of this Countrey Consists in that which is most Substantial and necessary for the use of men, *to wit* Plenty of Corn and Cattle, (and they have [108] besides Vines, and Fruits in abundance as before has been said,) so they who dwell here, need not be obliged to any other *Plantation, for any thing necessary for Life*: and all other Plantations are beholden to them for necessaries, without which, their other Curiosities would little avail them: This with the Province of *New York*, being the *Granary or Store house* of the *West Indies*, without which *Barbadoes* and the *Leeward Islands* could not subsist; Yea *New England* is forced to come there every year for Corn, this with the advantage of Fishery, being considered, will easily induce Sober and industrious People to prefer a Plantation here to most other places.

[The Duke of York's grant to the twenty-four Proprietors, is then inserted in the original work, occupying to the 125th page inclusive, with which historians are conversant from its being incorporated in Smith's History of the Province, as well as in Leaming and Spicer's Compilation of Grants, &c. ED.]

[126.] *Sir*:—By what is above written, I hope you are sufficiently convinced of the justness of the Title of the Proprietors, to what is contained in the Patent granted by the late King of happy memory, to his Royal Brother *James Duke of York*, now our Most Gracious Sovereign, And now conveyed by him as you see; as also, that by the constitution of the Government, those who subject themselves thereto may rationally

propose comfortable and peaceable life, without any just ground of Fears of any encroachment upon their properties or liberties, even in matters of Opinion, when the Proprietors are so far by their own concessions, from exempting themselves from being subject to the Law, that they declare themselves lyable thereto, as the meanest Inhabitants are, by one of the fundamental Constitutions. It remains to give you also good ground to believe the above written discription of the place to be consonant to truth, and I shall offer you no other proof of this than what sufficiently convinced myself, that there can hardly be any cheat in the [127] affair, to wit, the perusal of the following Letters from that place, which I have been at great pains to collect for my own satisfaction in the particular. Yea, I have been so much upon my guard that I might not be imposed upon in this, that I have myself seen the principals of them, when you consider they come from several hands, at several times, from People of Different persuasions, and yet not the least contradiction to be observed, amongst them all; and that the accompt given therein to the Generall Advantage of the Countrey, is homelogat by severall Gentlemen and Merchants, in this city, who to myself have Declared they have been eye witnesses to the truth of the most materiall Passages in these accompts narrated to the advantage of the place, I hope you will find yourself obliged to rest satisfied therewith.—

[128] AN ACCOUNT of the settled *Towns*, and most part of the *Plantations*, or Tract of Land, taken up in the Province of *East New Jersey*, beginning at the outer most *Southerly parts* towards the Sea; so going up *Northerly on Hudsons River* to its utmost extent. This was the Condition of the *Province* Anno, 1680, Given under the hand of Captain Nicholls, *Secretary of the Duke* in New York.

Shrewsbury. A Town in that *Province* lyes without *Sandy-point*, and hath the farthest plantation to the Southward. Its situate on the side of a River not far from its entrance, and extends up into the Land a little distant from the said River, about eight miles, near unto *Colonel Morris*, his *Iron Mill* and *Plantation*.

There is within its Jurisdiction *Colonel Morris* his Manour, being of ——— thousand *Acres*, wherein are his *Iron Mills*, his *Manours*, and divers other buildings for his Servants and dependants there, together with [129] 60 or 70 *Negros* about the Mill and Husbandry in that *Plantation*.—There are diverse out-plantations, accounted to belong to the *Jurisdiction of the Town*, some in necks of Land by the Sea side, within Land, and towards *Middletown*-bounds, and others on the *north side* of the River, below *Colonel Morris* his *Iron Mills*: The *computation of Acres* taken up by the Town may be 10,000 *Acres*, and what is taken up by *Colonel Morris*, and the other out-plantations, 20,000 *Acres*, the number of the Families in Town are 80, and of Inhabitants, Men Women and Children 400.

Middletown is next, 10 or 12 miles over land, northward from *Colonel Morris* his Iron Mills, being 9 or 10 miles up from the entrance of that River: that which is properly the Town may consist of 100 Families, and of Inhabitants 500; and of Acres taken up for the Town 10,000; and for the several Out-Plantations 20,000.—

This was the second place settled in till *Nicholls* time, 1664, but there are many considerable Plantations within the Jurisdiction of that Town, viz.: Captain *John Brown* and [130] others that first settled, who removed out of the Town and settled greater plantations abroad, *Richard Hartshorn* hath a Plantation, with considerable land belonging to it, part within, and part without *Sandy Hook*, which with a part of *Coney Island*, and *Long Island* opposite to it, makes the entrance into the Bay that goes up to *New York*, and also to the Lands of *East New Jersey*; the Town is above 5 miles from the entrance of the Creek or River that goes up to it from the Bay.

There was a Plantation on the North side of the Creek at its entrance, first settled by *Nicolas Davis*, having a large tract of land belonging to it of 2 or 3000 Acres, since divided to divers, besides several Out-plantations; and there is a great deal of waist Land, and other Improvable, betwixt this and *Piscataway* for about 20 miles. There was a court of Sessions held twice or thrice a year for these two Towns, and their Jurisdictions.

Thirdly. Piscataway Lyes next 25 or 26 miles from *Middletown*, its up *Rariton* River 5 or 6 mile westward in, and there is about half mile within Land. The entrance into *Rariton* River is at the bottom [131] of the Southern bay, and opposite to the Southernmost point of *Staten Island*, the Northwest point of the entrance is called *Amboy point*, where is a fair tract of Land formerly reserved by the proprietor for his own use.

There are several Plantations all along on the North side of the River as you goe up to the Town, and some on the South side, among which are considerable belonging to one *Thomas Lawrence*, a baker at *New York*, his wife's son, about 3000 Acres.

Up higher on *Rariton* River, near the falls which are about 3 miles over land, there are severall Plantations, a good big vessel loaden may goe up to the falls, and so may above it for several miles in the River, at the falls its fordable for horses and other cattle, unless in great Floods, when men may goe over in boats and Canoes, and horses will swim over though the River be a good breadth.

About the falls, there are severall tracts of Lands, some upon one side, some on the other side of the River, viz.: a place called by the Indians *Rachahova-Wallaby*, Captain *John Palmer* of *Staten Island*, *Mr. Thomas Coddington*, *Mr. White* and [132] *Company*, Merchants at *New York*, in part settled there on 6 or 7000 Acres: *Mr. John Robi-*

son, *Mr. Samuel Edsall and Company, of New York, on 6 or 7000 Acres ; Captain Palmer, Mr. White, Captain Corsen, and Company, on 5 or 6000 Acres.*

There is some other Land taken up by Milstone River, which comes into Rariton River, and is near the middle bounds between the two Provinces of East and West Jersey. You pass Milstone River to goe over Land from Piscataway to Meltinsea, [?] an Island in Delaware River, which is near Burlingtown.

The Town Consists of about 80 Families, and of about 400 Inhabitants ; and of Acres about the Town about 10,000, and for the Out-Plantations 30,000.

Woodbridge is over Land from Piscataway about 7 or 8 miles ; it lies up a River, the entrance whereof is about 5 or 6 miles to [133] the North of Amboy Point, the tide ebbing and flowing betwixt the Main Land of New Jersey and Staten Island on the West side, as it doth on the East side of the said Island and Long Island.

On the South side of the entrance into the River or Creek, *Mr. Delapairs** Surveyor Generall hath a neat Plantation, and he hath severall tracts of Land in the Province. There are other Plantations on the South side of the River, or Creek, within Land, and divers on the North side, lying along the water side opposite to *Staten Island*, until you come to a Creek or River that divides their bounds from those of Elizabeth Town ; the mouth of it being 8 or 9 miles from *Woodbridge*.

There are severall Plantations on the South side of the Creek, to the Road that goes along from *Woodbridge* to the Town, and passeth over that River, it being fordable over the Plantation on the North side. Sailing to *Elizabeth Town*, It's reckoned from one town to the other, about 15 or 16 miles, over Land, but its more by water. This Town pretends to have more priviledges [134] than any other Town in the Province, and hath a Charter of Corporation. It hath a Court house, and a prison built on their charge. It consists of about 120 Families, and 600 Inhabitants. The Acres taken up by the Town, may be about 10,000, and for the Out-plantations about 20,000.

Elizabeth Town is the first new place that was settled in 1664, by virtue of a patent from *Mr. Nicolls* to *Captain John Baker*, before the *Lord Berkley*, and *Sir George Carteret's Title* was known. This Town lies up 3 miles within a Creek, the entrance whereof is opposite to the Northwest end of *Staten Island*.

There are severall Out-plantations on the North end of the River

* *De la Pierre*, and *La Prie*, appear to have been names sometimes borne by *Robert Vanquellin*.—ED.

which divides the bounds between this Town and *Woodbridge*, particularly where the roads pass over, to which place is about 7 or 8 miles.

There are other plantations at the point or entrance of the Creek, on the North side of it, commonly called Governour *Carteret's point*, where there is another farme, between the proprietor and him. Its but a narrow passage there [135] over to the meadows of *Staten Island*, then on Northward there are other Plantations fronting to the Bay that lies to the North part of *Staten Island*, besides some other within Land, from the Town to *New York* bounds.

There is in this Town a house, orchards and farm, within the Town in partnership between the Proprietor and Governour, *Philip Carteret*, it being one of the first houses built there, and hath all along been the resident of the Governour, untill of late he hath finished his New house.

The Town is built on both sides of the Creek, and consists of 150 Families, and of 700 Inhabitants. The Acres taken up by the Town are computed to be 10,000, and for the Out Plantations 30,000.

Newark, alias *Milford*, is a Town distant to the Northward over Land from *Elizabeth Town*, about 6 or 7 miles.—It lyes on a River called *Newark River*, which emptieth itself into the Bay about 4 or 5 miles down: opposite to the Town on the North side of the River lyeth a great tract [136] of Land belonging to Mr. *Kingsland* and Captain *Sandford*, the quit rents whereof are purchased.

There is another tract of Land taken up higher on the River by Captain *Berry*, who hath disposed of a part of it. There are several Plantations settled there. Its said he hath about 10,000 Acres there; further up the water, is an Island of about 1000 Acres belonging to Mr. *Christopher Hoogland* of *Newark*, if it be not an Island, it is tyed by a very narrow slip of Land to the *Continent*.

Above that again is a greater tract of Land, above 8 or 9000 Acres, purchased by lease of the Governour, according to the Concessions, by Captain *Jacques Castelayne*, and partners, Who have begun some settlement—

All these tracts of Land are within the Jurisdiction of *Newark*.

In this Town hath been a Court of Session, held between this and *Elizabeth Town*. It is the most compact Town in the Province, and consists of about 100 Families, and of [137] about 500 hundred Inhabitants. The Acres taken up by the town may be about 10,000, and for the Out-plantations, over and above beside Mr. *Kingslands*, and Captain *Sandfords*, 40,000 Acres.

At the bottom of the Bay upon *Over-peck Creek*, side near *Hacken-sack River*, There is a River settled by severall Valleys, having a brave Mill belonging to it; they have taken up a brave piece of Land into their plantations, for the which Mr. *Nicolls* of *New York* hath a

patent, but gave leave to their settlement at the request of Governour *Carteret*, on promise of as much more in a better place.

Near unto *Snake hill* is a brave Plantation, on a piece of Land almost an Island, containing 1000 or 1200 Acres, belonging to Mr. *Pinhorne* a Merchant at *New York*, and one *Edward Eickbe*. Its well improved and Stockt, Mr. *Pinhorne* payed for his half 500 lib. There are other Plantations upon *Hackensack River*, which goes a great way up the Countrey, almost *North West*, there are other also on the *East side* of another creek or River, at *Hackensack River*.

[138] There is a large neck or Tract of Land for which one Mrs. *Sarah Kierstead* of *New York* hath a Patent, given her by an old *Indian Sachem*, in recompence for her Interpreting the *Indian Language* into *Dutch*, as there was occasion; there are some little Families thereon. Between 2 or 3 miles up there is a great Plantation settled by Captain *John Berry*, where he now Lives, there is a good house thereon, and a good quantity of Land cleared, and Improved by 20 *Negros* or more; he hath about 2000 Acres of Land there.

There is another Plantation adjoining, which belongs to his son in Law, Mr. *Michell Smith* who hath about 1500: or 2000 Acres; who by 16 or more *Negros*, hath improved a good quantity of that Land. And there is another Plantation more near to Captain *Berry*, belonging to Mr. *Baker* who came from the *Barbadoes*, and bought the Land from Captain *Berry*, being about 7 or 8000 Acres; part of which he hath improved by 7 or 8 *Negros*. [139] On the *West-side* of the Creek opposite to Captain *Berry*, there are also other Plantations, but none other more *Northerly* up above these Plantations on that side of the neck of Land that is between *Hudsons River* and it; the neck of Land is in breadth from Captain *Berry's* new Plantations on the *West side* where he lives over to his old Plantations, to the *East at Hudson's River-side*, about 3 miles, which distance, severs to *Constables-Hook* upward of 10 miles.

To goe back to the South part of *Berghen neck* that is opposite to *Staten Island*, where is but a narrow passage of water, which ebbs and flows between the said Island and *Berghen Point*, called *Constables Hook*. There is a considerable Plantation on that side of *Constable-Hook*, *Extending* in Land above a mile over, from the Bay on the *East side* of the neck that leads to *New York*, to that on the west that goes to *Hackensack* and *Snakehill*: the neck *running* up between both from the South to the north of *Hudson's River* to the outmost extent of their bounds. [140] There belongs to that *Plantation* about 12 or 1500 Acres, and it's well stockt and improved: it was settled first by *Samuel Edsall* in *Colonel Nicolls* time, and by him sold 3 years ago, for 600: lib.

There are other small Plantations along that neck to the *East*, between it, and a Little village of 20 Families called by the Indians——

or Penelope, — then further one to another cottage; there are more where *Lawrence the Draper* lives, a *Dutchman*; there may be 16 or 18 Families; then one to *George Umpare*, [*Gomounepan?*] which is over against *New York*, where there is about 40 Families; within which, about the middle of the neck, which is here about 3 myles over, stands the Town of *Berghen*, which gives name to that neck; then again *Northward* to the water side going up *Hudson's River*, there lyes out a point of Land, wherein is a *Plantation and a water* [mill?] *belonging* to a merchant in *New York*.

Southward there is a *small village* about 5 or 6 Families, which is commonly called the *Dukes Farme*, and hath always [141] paid a small annual rent to the Governour of *New York*, who first granted it out for two lives, but is leased out now for some years, yet is under the Jurisdiction of *New Jersey* for Government: further up is a good *Plantation* in a neck of Land almost an Island, called *Hobuk*. It did belong to a *Dutch Merchant*, who formerly in the *Indian war* had his *Wife Children and Servants murdered by the Indians*, and his *house cattle and stock destroyed by them*. It's now settled again, and a mill erected there by one dwelling at *New York*.

Up *Northward* along the river side are other Lands near to Mr. *William Lawrance*, which is 6 or 7 miles further; opposite thereto, there is a *Plantation* of Mr. *Edsall*, and above that *Captain Bienfields* *Plantation*, both without Tennants; this last is almost opposite to the northwest end [of] *Manhattas Island*—on the south part is *New York town and Fort*; there are other small *Plantations* up the River to *Haversham*, near the *Highlands*, between which the River leads up to *Sopus* and *Albany*.

Here are the utmost extent of the Northern [142] bounds of *East Jersey* as always computed.

There was here taken up a great tract of Land by *Governour Philip Carteret* for himself, and another for one *Campyne and Company*. It's supposed to be little improved yet some *Plantations* are said to be there. Under the Jurisdiction of this Town and *Berghen* are all the *Plantations* on both sides of the Neck, to its outmost extent, as also those at *Hackensack*. Here is a *Town Court* held by *Select Men or Overseers*, who use to be 4 or more as they please to choose *annually* to try *small causes*, as in all the rest of the *Towns*; and *two Courts of Sessions* in the year, from which if the Cause exceed 20 lib, they may appeal to the *Governour and Council*, and *Court of Deputies* in their *Assembly*, who meet once a year. The Town is compact and hath been fortified against the *Indians*. There are not above 70 Families in it. The Acres taken up by the Town may be about 10,000 and for the *Out plantations* 50,000, and the number of *Inhabitants* are computed to be 350, but many more abroad. The greatest part of the *Inhabitants*

which are in this Jurisdiction [143] are *Dutch*, of which some have settled here upwards of 40 years agoe.

Patents have been given out by the Governour and Council, for the greatest part of the Land here described: all Lands Patented are to pay the quit rents, whether improved or not; what is set forth here, relating to New East Jersey, is only Computation of the Neighbours of that Collony: not declaring everything to be just as he hath written, but sets it down as a good part of his own knowledge, the rest guessed at, and is to the best of his remembrance, particularly about the quantity of Acres and number of Inhabitants.

	Acres.
<i>Shrewsbury Town and Plantation</i>	30000
<i>Middletown and Plantations</i>	30000
<i>Piscataway and out Plantations</i>	40000
<i>Woodbridge and out Plantations</i>	30000
<i>Elizabethtown and Plantations</i>	40000
<i>Newark and out Plantations</i>	50000
<i>Berghen and out Plantations</i>	60000
	<i>in all</i> 280000
[144] <i>Shrewsbury Families.</i>	080
<i>Middletown</i> "	100
<i>Woodbridge</i> "	120
<i>Elizabeth</i> "	150
<i>Piscataway</i> "	080
<i>Newark</i> "	100
<i>Berghen</i> "	070
	<i>in all</i> 700 Families

And reckoning 5 to all Families the old Inhabitants in the several Towns estimate to be 3500 Persons. These besides the out Plantations, that cannot be so well guessed at for Families or Persons, as the Towns.

I desire Sir, you may here stop a little, and consider the Encouragement to be had from the above written Information: which will by any understanding Person be judged of very great import; you came not to a place altogether void of Inhabitants, But on the contrary to a Countrey where at your first landing you have houses, which can accommodate you with all necessaries, whatsoever. If you look back with me to the great trouble these were reduced to, who first went to that place of the World [145] who were necessitated to carry over with them, Horses, Cows, Sheep, Hogs, &c., Yea, all sorts of provisions, you will certainly acknowledge that it is a very easy business now, in comparison of what it was then, when so soon as you come to land, you have houses to afford you good and comfortable accommodation, till you make provisions for one of your own; when you have some way [to] accommo-

date yourself with Lodging, you may from all hands provide yourself with Horses, Cows, Sheep, Hoggs, &c., all sorts of Poultry; [and] all sorts of seed for sowing. This consideration does, in my apprehension, make the Design far more easy, than would appear at first to any who would be necessitated to lay before his eyes great difficulties to be re-encountered when come from Ships; lodging is wanting upon the shore, no other Victual is in readiness but what is brought along from the place they came from, none of these other accommodations to be furnished, but what is brought a great way off: Sir you will be obliged to say we have even upon this one consideration, a great advantage of our country-men lately settled at *Port Royal* in *Carolina*, to mention nothing else in this place.

But now let us return to the perusal of [146] several Letters from that place, and I desire you to mark narrowly if you observe the least contradiction in any material point, contained in any of them; or if you do not find the above written Discription quadrate in the least particular with the said Letters.—

A Letter from Thomas Rudyard Deputy Governor of New Jersey, to a friend at London, dated at East Jersey, the 30th of the 3d month called May, 1683.

Dear B. G. To be as particular in my return were but thy due: yet I cannot promise so much; However I may give thee some general account of the Province, and of our satisfaction with our present Lot, the short time I have experienced this.

But to give thee also, as thou desirest, a Character of *Pennsylvania* and *West Jersey*, that will be a task I must be excused to undertake, least I give offense, or at least bring me under censure as partial. Were [147] I not concerned in any of the Provinces I might satisfy thy curiositie, but being chiefly interested in this, I'll be very cautious meddling with my neighbours, more than here one with another; so I may use my freedom with my Neighbours which they take not ill, but not write that they may take otherways. They lye so near adjacent, that they may be said in a sense to be but one Countrie; and what's said for one, in General may serve for all. I have been at *Burlingtown*, and at *Pennsylvania*, as far as *Philadelphia*: which lyes about 20 miles below *Burlingtown*. That journey by land, gave me some view of all the Provinces, and made me more considerably to estimate this of *East Jersey*; having some Conveniences esteemed by me, which the others are not so plentifully furnished withal, *viz* fresh and salt Meadows, which now are very valuable, and no man here will take up a Tract of Land without them, being the support of their

flocks in Winter, which other parts must supply by store, and taking more care for English Grass. But know, where salt marshes are not there is no musketos, [148] and that manner of Land the more health, and this was often answered me, when I have been making comparisons. I must tell thee, their Character in Print, by all that reads it here, is said to be modest, and much more might have been said in its Commendation.

We have one thing more particular to us, which the others want also; which is vast Oyster banks, which is Constant fresh Victuals during the winter, to *English*, as well as *Indians*; of these there are many all along our Coasts, from the Sea as high as against *New York*, whence they come to fetch them; so we are supplied with salt fish at our doors, or within half a tydes passage, and fresh Fish in abundance in every little brook, as *Pearch*, *Trout*, *Eels*, &c. which we catch at our doors. Provisions here are very plentiful, and people generally well stockt with Cattle. *New York* and *Burlington* have hitherto been their market; Few or no Trading-Men being here in this Province. I believe it hath been very unhappy heretofore under an ill managed Government, and most of [149] the people who are such, have been invited from the adjacent Colonies by the goodness of its soil, and convenient Scituation. At *Amboy* we are now building some small houses, of 30 feet long, and 18 feet breadth, fitting to entertain Workmen, and such as will go and build larger; the stones lye exceedingly well and good, up the *Rariton River* a Tydes passage, and *Oyster shells* upon the point, to make lyme withall, which will wonderfully accommodate us in building good houses cheap, warm for Winter, and cool for Summer; and durable covering for houses are Shingles, Oak, Chesnut and Cedar, we have plentiful here of all, the last endures a man's age if he live to be old. There is 5 or 6 Saw mills going up here this Spring, two at work already, which abates the price of boards half in half, and all other timber for building: for although timber cost nothing, yet workmanship by hand was *London price*, or near upon, or sometimes more, which these mills abate; we buy Oak and Chesnut boards no cheaper than last year. My habitation with *Samuel Groome* is at *Elizabeth* [150] *Town*, and here we came first; it lyes on a fresh small river, with the tyde, ships of 30 or 40 Tuns, come before our doors, throughout this town s good English grass, and very good burthen; we cannot call our habitation solitarie for what with the public employ I have little less company at my house dayly, than I had in *George Yard*, although not so many pass by my doors. The people are generally a sober professing people, Wise in their Generation, Courteous in their Behaviour, and Respectful to us in office among them. As for the Temperature of the Air, it is wonderfully scituated to the *Humours of Man-*

kind, the wind and weather rarely holding in one point or one kind for ten dayes together. It is a rare thing for a Vessel to be wind bound for a week together, the wind seldom holding in a point more than 48 hours; and in a short time we have wet and dry, warm and cold weather, which changes we often desire in *England*, and look for before they come. Yet this Variation creates not cold, nor have we the tenth part of the cold as we have in *England*, I never had any since I came [151] and in the midst of Winter and Frosts, could endure it with less cloaths than in *England*: for generally I go with the same Cloaths I use to wear in Summer with you; but warm cloaths hurt not. I bless the LORD, I never had better health, nor my family, my Daughters are very well improved in that respect, and tell me they would not change their place for *George Yard*, nor would I. People here are generally settled, where the tyde reaches; and although this is a good Land, and well Timbered, and plentifully supplied with salt Marsh, yet there is much better Land up higher on the River, where they may go up with small boats, where many now are settling. There's extraordinary Land, fresh Meadows overflowed in the Winter time, that produces multitudes of Winter Corns: and its believed will endure 20, 30, or 50 years overflowing without intermission, and not decay. Such Land there is at *Sopus* on *Hudson's River*, which hath born Winter Corn about 20 years without help, and is as good as at first, and better. *William Penn* took a view of the Land, this last month when here, [152] and said he had never seen such before in his life: All the *English Merchants*, and many of the *Dutch* have taken, and are desirous to take up Plantations with us. Our Countrey here, called *Berghen*, is almost [all] *Dutch* men, at a town called *Newark*, 7 or 8 miles hence, is made great quantities of Syder, exceeding any we can have from *New England* or *Rhod Island* or *Long Island*. I hope to make 20 or 30 Barrels out of our Orchard next year, as they have done who had it before me, for that, it must be as Providence orders.

Upon our view and survey of *Amboy Point*, we find it extraordinary well situate for a great Town or City, beyond expectation, at low water, round about the point are Oysters. There are Oysters of two kinds, small as *English*, and others, two or three morsells, exceeding good for roasting and stewing. The people say, our Oysters are good and in season all summer. The first of the third Month I eat of them at *Amboy* very good. The point is good lively land, 10, some places 20 foot, above the water mark. About it are several coves, [where] with small Costs may lay up Vessels as [153] in a docke, besides great Ships of any burthen, may all ryde before the town, land-locked against all winds. There *Rariton River* runs up or rather down 50, (far larger) some say 100 myles, for small boats. I saw several vinés upon the

point, which produce, as they say, good grapes in their Season; this Country is very full of them, but being no present mother of profits few regard them more, than to pick them as they lay in their way when they are ripe.

We have store of Clams esteemed much better than Oysters; on *Festivals* the *Indians* feast with them: there are shallops, but in no great plenty. Fish we have great store, as our relation sets forth, but they are very good when caught, (as the proverb is). I have several Barrels by me now, which are good for our Table and for Sale. I brought a Sea Net over with me, which may turn to good account. Sea Nets are good Merchandise here, mine cost me about 4 or 5 *lib*, and I can have 20 *lib* for it, if I would sell it now; I may write of many such matters in our Province, which may invite persons here, [154] but so am resolved to conclude, knowing that in probability, there is not an industrious man, but by God's blessing may not only have a comfortable, but plentiful supply of all things necessary for this life; with the salutation of my true affection to all, &c. I rest

thy affectionate friend,

THO. RUDYARD.

A Letter from *Samuel Groome, Surveyour General in East New Jersey*, dated at

East Jersey, the 11th of August, 1683.

Friends and fellow proprietors:

Since my last I have now sounded the Channell from *Amboy* to *Sandy Hook*, and find it to be a broad and bold Channell, in no place less than three fathom at high water, in ordinary tydes 4, 5, or 6 fathom except in one short place. *Rariton River* is a good River, and hath a good tyde of flood overpowering the freshes about 30 miles above *Amboy*: after its flood, the tyde hath no force against the Freshes which comes out of several branches of *Rariton*, and joyns in one 40 or 50 miles above *Amboy*.

[155] I have spent considerable time in making discovery. I have not as yet had times to lay out much land for you, only about 17 or 18 thousand Acres in one tract, good upland near *Elizabeth Town*. I have now seen the tract of Land against (or nigh) *Amboy Point* formerly laid out by *Vanquillen*, it is on the West-side of a Creek called *Chingerora*, about eight thousand acres, And I intend shortly to lay as much or twice as much more to it; but first we must talk with the *Natives* about that, and other tracts of Land they are not yet paid for. The last day

of this month is appointed to treat with several *Indians*, to buy several exceeding good tracts nigh the head of *Rariton*.

The tenth of the next month is also appointed to treat with other *Indians*, to buy other tracts of choice Meadowing and Upland, that lyeth about 12 or thirteen myles up into the Countrey, which I have seen; and when we have accomplished these two things, we shall be able to lay out for you much land, and when I have been up in the Countrey towards and at *Barnagate*, and agreed with the *Indians* thereabout for such land as we may see occasion to purchase (presently) in order to a settlement [156] there: for here are many both of *New England*, *New York*, and some parts of this Province, stand ready to sit down in that part of the Countrey; not only for the sake of the good Upland and Meadows, which report saith is much thereabouts, but also for the sake of the *Whale Trade*, and other fishing trade, which is like to be there shortly. *New England men*, and others were a tampering with the *Indians* to have purchased there, before and since we came; but now they are out of hopes coming in at that door; so now they make their Addresses to us, and would have us to purchase and let them come in our Tennents: [or] otherwayes as we agree: I intend to attempt these things this fall. I have not been much on the South side of *Rariton*, only upon some upland at severall places, and upon the tract of 8 thousand 3 hundred and 20 acres of yours aforementioned; and also on the *Meadowing* that lyes on the South side of *Rariton* above *Amboy*, a year or two since purchased of the *Indians*, in the name of *Dame Cartwright*, [Carteret] though it was never intended for her, nor for any Proprietor: but as it fell out, they quarrelled about disposing and sharing thereof, so it is now without controversie yours. Now know that *Rariton* river is [157] accommodated on both sides with salt and fresh meadows: salt as far as the salt sea water flows, or predominates; and fresh above, as the river of *Thames*. We have above 3000 Acres of meadowing butting on the river; I hope it will never hurt *Amboy* town: Besides, report saith, that the upland next adjoining to this meadowing, beginning over against *Amboy*, and so up 10 or 12 miles to a River that strikes out of *Rariton* South, and is called *South River*, is but mean land.

It may be well, if you would agree to take each one a 24th part of Lands as we lay them out, whether it be more or less, or else take 500 Acres Lots, and let these Lots be cast when 24 times 500 Acres is laid out; where we can make greater Lots we may. We have now got up three houses at *Amboy*, and three more ready to be set up, but workmen are scarce, and many of them base: the best will work but when they can spare time out of their plantations; (if no help comes, it will be long a're *Amboy* be built, as *London* is.) Housing will bring a Trade to that place, the *Indians* come thither to get Fish, Fowl, Oysters,

Clams, Mussels &c. (as people go to market for things they want) and these [158] *Indians* bring at Seasons, great quantities of skins down *Rariton*, so by *Amboy* and to *New York*, where they have a continual supplie of things they want.

Well here is a brave Countrey, the ground very fruitfull, and wonderfully inclinable to *English grass*, as *Clower*, &c. It Predominates over the more wild grasse: very little barren, much dry upland, and good meadow, some phenny, swampy land and small running brooks and rivers throughout all the parts of the Countrey I have been, and this phenny and swampy Land bears great burdens of grass: in short, the land is four times better than I expected. We must needs be out of some money at present to purchase lands of the Indians, but that will soon be got in with profit as people come to Inhabite and take up Land, and pay, as alwayes they have done, their part of purchase from the Indians. Here is great talk of the braveries of the place and land, *Barnagate* I intend to see shortly, after the season is fitting to go by land and water to it; I intend to go by water in a Sloop to see how convenient its by water, and from thence come by Land, so then I shall tell you more. Ye must expect to be at charges for doing these and such other [159] things. I propose shortly to write to, and demand in all places of the Quit rents, and Arrears. They generally say they will pay. Capt. Berry is two or three hundred pounds behind in arrears, as is said; because his case differs from others a little, I'll (God permitting) begin with him first of all about his rent &c. and either have rent or land. What you write concerning building and repairing shall be observed. I wish I were freely rid or all the goods I have of yours, and my own, at 28 *per cent.* excepting such as are for the Indian Trade. These parts of America are accommodated with English goods; Nevertheless when I pay Workmen and Labourers, I pay them goods rated *cent per cent*, *New York* money, but then I must pay them 2 or 3 silver; and part paction which I procure with goods as well as I can.

The houses at *Amboy* are 30 foot long, and 16 foot wide, 10 foot betwixt joynt and joynt, a double Chimney made with Timber and clay, as the manner of this Countrey is to build, [and] will [stand] in about 50 *lib* a house, this pay procured here for 25 in goods the first cost, I shall make you no return this year, seeing we are about purchasing and surveying all which will run [160] out money in this place where men are so scarce to be had. On such accounts, I must, as well as I can, turn your goods into money, provision and goods for *Indians*. I have laid out *Amboy* into 150 Lots, and have sent home a draught of it.

Your S. G.

ABSTRACT of a letter from Gawen Lawrie *Deputy Governour* of East Jersey to the *Proprietors* at London, dated from

Elizabethtown the 2 of March 1684.

I took up several dayes with Countreymen, and others, to view the Ground and Water, at last I pitched upon a place, where a Ship of 300 Tun may ride safely within a plank length of the shoar at low water, and joyning thereto is a piece of marsh ground, about 12 pearch broad and 20 pearch long, and high land on each side like our keyes by *London Bridge*: this may be easie cut quite round, for small Vessels to come to the Key, and lie safe. Round this island, I set out Lots 1 acre a piece [161] viz. 4 pole at the Key, and 40 pole backward; from thence along the river near half a mile, I lay'd out the like lots very pleasant for scituation, where they can see the ships coming in the Baye of *Sandy Hook* for near 20 miles. The Ships may ride along by the Town, as safe as at *London*. Just at the point by the Town, *Rariton-river* runs up by the Countrie a great way; there boats of 40 tun may goe, and the River by the Town, goes to *New York, Hudson's River, Long Island, Staten Island*, and so to *New England*: there is no [such] place in all *England*, for Conveniency and pleasant scituation. There are 60 Lots upon the River, and 40 backward between these and the River; and these backward, have a high way 100 feet broad, where I have laid out a place for a market, with cross Streets from the River to the Market, where the Town houses are to be built. When this was done I laid out 400 acres, to be divided in 48 parts, viz. 36 to each Proprietor; and those who have lots in the Town, I grant them half Lots in this; to pay for the Lots in the Town 20 pound, or if a half Lot of 36 acres [161] 40 pound. I laid out 400 acres to lye untill the Proprietors agree to divide it, as people come over. There are 16 Lots taken up by the *Scottish* Proprietors, and 8 Lots by the Proprietors that are here. There are 20 Lots taken up in the Town, by other People. I engage all to build a house of 30 foot long, and 18 foot broad, and 18 foot high to the raising, to be finished within a year; To pay for laying out, 40 shil a Lot, and 4d *per annum* Quit Rent: there are several begun already to build. I have laid out between forty and fifty Acres for the Governours house. The highway and wharfe between the Hooks [Lots?] and the River are 100 feet broad, and to leave a row of trees along upon the River, before the houses, for shade and shelter exceeding pleasant. I have agreed for two houses of like dimensions, to be built for the Proprietors, and also a house for the governour of 66 foot long and 18 foot broad; And if the quit rents come in, I intend 3 or 4 houses more for the Proprietors. I can easily let them. This work took me up 5 weeks: After I had finished this work, I set the people to

work, *Scottish* and *English*, about 50 persons, some preparing for building, others on [163] clearing ground to get Corn sowne this spring, then came in a Boat, privately, to *Elizabeth Town* the 12th past; next morning I went to *New York* to visit the governour; staid there two or three days: He was very kind, and promised a fair correspondence, so I did not publish my Commission until this day before the council. They have been kind and courteous.

Now is the time to send over people for settling Here. There are 30000 acres of Land in several places, belonging to Proprietors, formerly taken up by Cartwright, [Carteret] so here is land enough. The *Scots*, and *William Dockwra's* people coming now and settling, advance the Province more than it hath been advanced these ten years. Therefore Proprietor, send over some Families and Servants: I shall presently set them out Land, and it will presently bring them in considerable profit in a few years. Here wants nothing but people; There is not a poor body in all the Province, nor that wants; Here is abundance of Provision, Pork and Beef, at 2d per pound, Fish and Fowl plenty, Oysters I think would serve all *England*, Wheat 4 shil ster per [164] *Bushell*, *Indian* wheat 2s 6d per bushell; It is exceeding good food every way, and 2 or 300 fold increase: Sider good and plenty, for 1d per Quart. Good drink that is made of water and Molasses stands in about 2s per Barrell, wholesome, like our 8s Beer in *England*. Good Venison, plenty brought us in at 18d the quarter, Eggs at 3d per Dozen, all things very plenty. Land, very good as ever I saw: Wines, Walnuts, Peaches, Strawberries, and many other things plenty in the woods. The Proprietors have 150 or 200 acres, 3 miles from the town upon *Rariton River*, salt Marsh, where I intend to let the people of *Amboy* cut grass for hay, to their cattle in Winter, until we otherwayes order it by Lots to them, I reckon there is laid out for the Town, Governours house, and publick highwayes, near or about 200 acres, so there rests 1800 acres. I laid out 400 acres, as I said, the rest to lye in common untill divided. I have put two houses in repair upon the River, called the *Point* 2 miles from *Elizabethtown*; have let one of them, with 10 acres of Pasture ground, and 10 acres of Woody ground, for 7 years at 26 lib per annum: the [165] man to clear the ten acres of Woody ground and make it fit for Ploughing or Pasture. I intend to let the other also with some land. All the houses were like to drop down, all the land lying without fence, and a barn quite fallen down and destroyed; another without any cover, and that other next to the house where I dwell, all to pieces, and all the fences and out houses were down, but repaired before I came. I am setting up a Ferry Boat at *Perth*, for Men and Horses, to go and come to *Burlingtown*, *Pennsylvania*, and *New York*; Also I am treating with one to set up a house mid way to *Burlingtown*, to entertain Travellers, and a Ferry Boat to go

to *New York*, all which is for promoting *Perth*, that being the center. Also you should give me power to set out a Line, between the Governour of *New York* and us: he calls on me for it, because several Plantations on the River are settled. and we know not yet what side they will fall to. I cannot at present mention all particulars, which you must supply by some general clauses or words, for it is not possible for you to understand what is for the good of the Province as I do that am here; and be not sparing to send over people, it will bring you in again, with large profits; for here is a gallant plentiful [166] Countrie, and good land; I have given you a large account for the little time I have been here. I have none to write for me, but you must send a copy of this to *Scotland*, and with it your further Instructions, to be signed, and sent me forthwith: I will be bound till it come; I rest your friend, *sic sub scribitur*

GAWEN LAWRIE.

A Letter from *Gawen Lawrie* to a Friend of his at *London*.

East Jersey March 26 1684

Loving Friend

I promised to write when God brought me to *Jersey* but had not time till now: I shall give thee a brief account of the Countrie, no *fiction*, but the *truth*. It is beyond what I expected, It is seitate in a good *Aire*, which makes it healthy, and there is great conveniency for travelling from places throw the Province in Boats, from a small Canoe to Vessels of 30, 40, or 50 Tuns, and in some places 100. In the Bay coming up to *Amboy* point, where the Town of *Perth* is now in building, a Ship of 300 Tun may easily ride close to the Shoar, within a plank's [167] length to the Shoar and the houses of the Town; and yet the land there, nor other in the Province is not low, Swampy marsh ground, but pretty high ground, rising from the water side: at *Amboy* point the bank of the River is 20 foot, in some places 30, and in some 40 foot high; and yet hath many conveniencies for landing goods.

The soile is generally black, and in some places a foot deep, beareth great burthens of Corn, and Naturally bringeth forth *English grass* 2 years ploughing: the ground is tender, and the ploughing is very easie, the trees grow generally not thick, but some places 10, in some 15, in some 25, or 30 upon an Acre, This I find generally, but in some particular places there are 100 upon an Acre, but that is very rare: The trees are very tall and straight, the generall are Oak, Beech, Walnut: Chesnuts and Acorns lie thick upon the ground for want of

eating, Peaches, Vines, Strawberries and many other sorts of Fruit grow commonly in the Woods. There is likeways Gum tree, Cedar, White Wood, like our Fir tree; Walnuts Chesnuts and others lye thick upon the ground. There is great plenty of Oysters, Fish, Fowl, Pork is 2 pennies the pound, Beef, and Venison 1 penny the pound, a whole fat buck at 5 or 6 [shillings ?] [168] *Indian Corn* for 2s 6d per Bushel: Oats 20 pennies, and Barley 2 shil per Bushell: We have good brick earth, and stone for building at *Amboy* and elsewhere, the Countrie Farme houses are built very cheap, a Carpenter, with a man's own servants, builds the house, they have all materials for nothing except Nails; their Chimnies are of stones; they make their own Ploughs and Carts for the most part, only the Iron work is very dear. The poorer sort set up a house of two or three Rooms themselves after this manner, The walls are of cloven Timber, about 8 or 10 inches broad, like planks set on end to the ground, and the other nailed to the raising, which they plaister within: they build a Barn after the same manner, and these cost not above 5 lib a piece: and then to work they go, 2 or 3 men in one year will clear 50 acres, in some places 60, and in some more. They sow Corn the first year, and afterwards maintain themselves; and the encrease of Corn, Cows, Horses, Hogs and Sheep comes to the Landlord. Several Merchants of *New York* have left their several Plantations there, to come to *East Jersey*; 2 or 3 join together, bring 12, 15 or 20 servants and one Overseer, which cost them nothing for the first year, except some shoes, [169] Stockings, and Shirts; I have been to see these Plantations; and find they make a great encrease by them, maintain their Families at *New York* with all provisions, sell a great deal yearly, and for Servants our *English people* are far better Husbandmen than the *New England men*; the Servants work not so much by a third as they do in *England*, and I think feed much better, for they have Beef, Pork, Bacon, Pudding, Milk, Butter and good Beer; and Cyder for drink. When they are out of their time, they have land for themselves, and generally turn Farmers for themselves. Servants wages are not under 2 shil. a day besides Victuals: and at *Amboy* point 2 shil 6d per day, at *Amboy* we have one setting up to make Malt, but we want a Brewer, I wish thee would send over some to set up a Brew house, and a Bake house to bake Bread and Bisket, for a Bisket-Maker we must have to vend our meat [Meal ?] to the Plantations. Send over some Husband-Men and Countrie Fellows that Plough, Sow, Reap, Thresh and look after Cattle: a Carpenter or two, and a Smith for Ploughs and Horses; and a Cooper, which we want very much. If thou wilt send a dozen of Servants, most of them Countrey men: I will set thee out a gallant Plantation of [170] 500 or 1000 acres upon a River side: but thou must send over some goods to stock it with all. I desire thee to encourage some of

our Friends, especially the Proprietors, to send over some servants to stock some Land; and when they have cleared it, if they have a mind to lett it, here are tenants to take it, and if they will sell it, here are also purchasers. There is one man since I came here sold his Plantation for 1500 *lib.* the whole was 1600 or 1800 acres, whereof only 120 acres were cleared, *upon which he had* a house, Garden and Orchard, and Barn planted; I know several men who lett cleared Land at 6 shil 8 pennies to 10 shil. the acre yearlie rent, which is a good encouragement for sending over Servants to plant. I write not this as idle story, but as things really and truly are. I have sent for servants myself to settle a farne, for if the Proprietors will not do so, I see not what they can expect. The Scots have taken a right course, They have sent over many servants, and are likeways sending more; They have likeways sent over many poor Families, and given them a small stock, and these Families, some for 7, some for 10 years, giving the half of their increase to the Land-lord, except the milk, which the tenment hath to himself. I have set [171] them out land, and they are at work, I believe they will have 40 acres cleared this Spring; and this Summer I am to sett them out more, so that in a short time they will have a great increase coming in; this will raise the price of the Land here, and is the reason that several from *New York* bounds come to me, to take up Land, for they believe now this Province will be improved: and our Land is better than theirs; so that every Proprietor's sending over 10 people will be a great advantage to himself, encourage others to take up Land, and bring all the division that hath been here to an end, for these men seeing that they shall be ballanced are already more compliant than they were. Now I have layd these things before thee, and desire thee to impart them to some of the Proprietors and other friends that they may consider of the same. I am thy Loving friend, sic subscribtur

GAWEN LAWRIE.

A Letter from *Gawen Lawrie** to the Scots Proprietors of the same date.

Knowing you do expect from us an account of this Country, we have for your encouragement, and for the encouragement of all [172] our Country Men who may be inclinable to come into this Country, given you this brief and true account of it, according as we have seen and are credibly informed, for having seen little yet, save the Winter

* This is a manifest error of the compiler from both the signatures and the style. Ed.

Season, we must write what is to be seen in Summer upon Information which we have just ground to believe to be true, because what we have seen already in it (notwithstanding of all that we heard of it before we came) surpasses our expectation in many things. The Aire in this Country is very wholesome, and though it alters suddenly sometimes, being one day hot and another cold, yet people are not so subject to catch cold, or be distempered by it as in our Country of England; the land lyes for the most part pretty high, but on the River and Creek sides are many Meadows which lye low, of which the Country people gett their Hay, whereby their stocks are maintained in the Winter Season. Provisions here are plentiful and cheap; There is Beef, Pork, Venison, Fowl and Fish, [in] abundance to be had at easie rates, and for drink they have good Beer and Cyder, and those that are [173] desirous may have Wine of several sorts, and other kinds of strong Liquor, so that we see little wanting here that a man can desire; and we are here sure that a sober and industrious People might make this a rich Country. Poor people, who are hard put to it to gain bread at home, notwithstanding of the excessive Labour, for we see that people here want nothing, and yet their Labour is very small; they work not so hard by one half as the Husbandmen or Farmers in our Country: and many of those who have settled here upwards of sixteen years, have lived upon the product of the Land They cleared the first two years after they came, (and cleared none since,) which produced not only Corn to maintain their own Families, but to sell every year, and the increase of their Bestial, whereof they have good store of several sorts, Cows, Oxen, Horses, Sheep, and Swine, yields them other provisions and to sell besides; yet there be some more Industrious among them who have continued clearing and Improving Land, and these have got Estates, and would not [174] sell their Plantations for several hundred pounds. We have been up a little way on the *Rariton* River, but could not go so far as we intended being prevented by Rainy weather: but so far as we went was very rich land, and yet that above it is said to be richer; a great deal of it is naturally clear of wood, And what is not so, is easily cleared, the trees being but small and a good distance from one another, so that the Land yet untaken up, so far as we can understand, is easier to clear than that which is taken up, the Towns that are already seated, being seated in woodiest places. The Merchants in *New York*, both *Dutch* and *English*, have many of them taken up Land and settled Plantations in this Country, and severall from that Collony are desiring to come and take up land among us, though they might have land in their own Collony without paying Quitt rents. The wood here is not so hard to clear as many think, they do not pull it up by the Roots, but [cut] them about a foot or more from the ground, and one man may cut down many in a day; four of our men the first day

they began, cut down seventy [175] the best trees they could find, fit for building. There are not many of great Trees, but straight and tall, and there be of many sorts, Oak, Walnut, Chesnut, Cedar, Popler, Gumtrees, Firs, Pines, Birch and Beech, and other sorts which we remember not at present; there are many good Orchards of Fruit trees, and they make abundance of good Cyder, especially at one Town called *Newark* which is esteemed at *New York*, and other places where it is sold, beyond any that comes from *New England*. There are Peaches, and Vines grow wild about the River sides, which in season bear good Fruit and Grapes, and there are Strawberries over all the Woods and many other kinds of goods and Fruits: and at *Amboy* point, and several other places, there is abundance of brave oysters. There will be many houses built there quickly, for many have taken up lots and all that have taken are obliged to build within a year. There is good encouragement for Tradesmen to come over, such as Carpenters, Masons and Bricklayers, for they build not only of Wood, but also of Stone and Brick, yet most [176] of Countrey Houses are built of Wood, only Trees split and set up an end on the ground, and coverings to their Houses are mostly Shingles made of Oak, Chesnut and Cedar wood, which makes a very neat Covering, yet there are some Houses covered after the *Dutch* manner with pantikles. The Towns are all settled upon Rivers, where Vessels of 30 or 40 Tuns may come up to their doors, and the out plantations generally upon some Brooks or Rivulets which are as plenty here as in our own Countrey, and curious clear water, and in many places are good Spring wells; but in the Towns every man for the most part has a well digged by his own hand. Among all the towns that are settled here, there is none lyeth so convenient for trade as *New Perth*, for Ships of great burden may come up close to the houses, and may come up any time in the Winter: There came a Ship of 300 tuns in there this Winter, in the hardest frost we had, and lay hard by the town, so near that she was tyed to a tree. The Land here brings forth most sorts of English grain, and great increase; Wheat, Rye, Barly, [177] Oats and other sorts of grain, such as *Indian* Corn, which is very good and wholesome kind of Grain; and also Buck Wheat; and those Corns are to be had at easie rates, either for money or for goods, and those that have not money or goods may have abundance for their work.

We shall now answer, so far as we are capable, your *Queries* sent over to us.

To the first, we cannot positively answer, to give an account of the whole length and breadth of the Province, But we are informed that it is a great deal broader than ye expected, for those that have travelled from the extent of our bounds on *Hudson's* River, straight over to the *Delaware* River, say it is 100 myles or upwards; we shall know

that certainly after a while, for the Line betwixt us and *New York* is to be run straight over to Delaware River, about 3 weeks hence, and after that the Line betwixt us and *West Jersey*; After which we shall be able to give a true account of the bounds of that Province.

[178.] 2ly. When the bounds is so exactly laid out, we can the easier guess at the number of Acres, and by that time may be able to give an account what number of Acres is already taken up, but there is no fear of want of Land.

3ly. The quantity of Meadow ground we cannot determine, having travelled as yet but little in the Province, but the way we have travelled, there is meadow [in] abundance, both on the water sides and on the up Land.

4ly. There is also other good ground in some places, great quantities free of wood, which is fit either for Corn or Grass, and the ground all over brings forth good English grass naturally after it is ploughed.

5ly. There are also Commons upon the Country, but what quantity we cannot tell, there is little kept in them save wild horses, which the people take up when they have occasion. There is also Land fit for pasturage for Sheep, and there are Sheep in the Country, but what number the ablest planters have we know not, but some we see have good flocks.

[179] 6ly. An exact Mapp of the Country is not yet drawn nor can you quickly expect it, for it will take up a great deal of time, charge and pains to doe it.

7ly. There are also hills up in the Country, but how much ground they take up we know not, they are said to be stony and covered with wood, and beyond them is said to be excellent land.

8ly. To the Eight we cannot answer as yet.

9ly. There be People of several sorts of Religion, but few very Zealous. The People being mostly *New England* men, doe mostly incline to their way, and in every Town there is a meeting house where they worship publickly every Week: They have no publick Law in the Country for maintaining public Teachers, but the Towns that have them make way within themselves to maintain them. We know none that hath a settled Preacher that follows no other Employment, save one Town *Newark*.

10ly. The method of building their houses is mentioned already.

[180] 11ly. There are not many Out Plantations that are not within the bounds of some Town, Yet there be some, and these are the richest; what number are there we know not, some have great quantities of Land and abundance cleared.

12ly. The richest Planters have not above 8 or 10 Servants; they will have some of them, 1 Dozen of Cows, yea some 20 or 30; 8 or 10 Oxen, horses more than they know themselves, for they keep breeding

Mares, and keep no more horses at home than they have occasion to work ; The rest they let run in the wood both Winter and Summer, and take them as they have occasion to use them. Swine they have in great flocks in the wood, and Sheep in flocks also, but they let them not run in the woods for fear of being destroyed by wolves. Their profit arises from the Improvement of their Land, and Increase of their Bestial.

13ly. There will be in most of the Towns already settled at least 100 Houses, but they are not built so regular as the Towns in our Country, so that we cannot compare them with any Town we know in Scotland. Every house in the Town hath a Lott of 4 Acres lying to it: so that every one building upon his [181] own Lott makes the town Irregular and scattering. Their Streets are laid out too large, and the Sheep in the Towns are mostly maintained in them : They are so large that they need not trouble to pave them.

14ly. Betwixt *Sandy Hook*, and *Little Egg-harbor* lye 2 Towns *Middletown* and *Shrewsbury*. There is no Land taken up that way but what is in the bounds of these two Towns ; what kind of land it is, we know not, having never travelled that way. *Barnegate* or *Burning Hole* is said to be a very good place for fishing, and there are some desiring to take up land there, who inform us that it is good Land, and abundance of *Meadow* lying to it.

15ly. There are no *Fisher-men* that follow only that trade, save some that salt *Whales* upon the Coasts, and other Fishes ; there is abundance to be had every where through the Country in all the Rivers, and the People commonly fish with Sives or long netts, and will catch with a Sive 1, sometimes 2 barrels a day, of good fish, which they salt up mostly for their own use, and to sell to others.

[182] 16ly: There is no Ships belonging to this Province particularly, or built here, save one which *Samuel Groome* built here the last Summer, which stands yet in the Stocks (a stop being put to it by his death). There is conveniency enough to build ships. The Ships in this part trade mostly to the *West Indian Islands*, and some to *New found Land*, where the Provisions of this Country vends.

17ly. There is land here in several places, after it is cleared and brought into a farm sett out for Rents as in our Country, at 5, 8, and 10 shil: *per Acre* According to the goodness and situation of the said Land ; and those that will be at charge to clear land may get good tenants to take upon good termes. But whether it will turn to good account or not, because little experienced as yet with the Charge of clearing of Land, I will not positively inform.

18ly. There is several places of the Country fit for mills, and several both Corn and Saw mills already sett up, and good encouragement to sett up more.

19ly. The Acres are here reckoned [183] according to the *Eng-*

lish Account: There is 16 foot goes to the Rood, and 20 Rood long and 8 Rood broad, makes an Acre. One English butt of Wheat which is 8 *English Gallons*, or *Scots Quarts* commonly sows an Acre, and 2 bushells of Oats an Acre, and half Acre; [One] *English* peck which is 4 *English* quarts or *Scots Shopens* of *Indian* Corn plants one Acre.

20ly: There are but few *Indian Natives* in this Country. Their strength is inconsiderable, they live in the Woods, and have small towns in some places far up in the Country. They plant a little *Indian* Corn, shoot Deer, and other wild Beasts and Fowls for their food. They have *Kings* among themselves to govern them. For *Religion*, they have none at all, they do not refuse to sell Land at occasion. The prices of Grain and other Provisions here at Present *Indian* Corn, 2s 6d the Bushell; Wheat 4 shill: Rye, 3 shill: Oats 1s 8d the Bushell; Beef 1d; Pork 2d; Venison 1d; Mutton 3d the pound;—this *English* Measure and Weight. But mark, [184] these things being valued in this Country money, there is a fifth part difference betwixt it and Sterling Money, So that Wheat being valued here at 4s. the Bushell, is but 3s 3d Sterling, and so of the rest proportionally.

Here you have an account of things so far as we are capable to give you at present, with which we hope you will be satisfied, until further opportunity and better experience give us occasion to write more. And so we rest your Friends and well wishers to all our Country Men.

Sic subscribitur

Elizabeth Town
in East Jersey
the 29. of the first
Month called March
1684.

David Barclay
Arthur Forbes
Gawen Lawrie

This I have heard read, do also subscribe to the truth there is, and so rests,

G. L.

For the *Scots Proprietors* of *East Jersey*.

[185] A Letter from *George Mackenzie* Merchant in *Edinburgh*, to Mr *George Alexander* Advocate there.

Elizabeth Town Sept 1 1684.

Mr *Alexander*

I doubt not but you expect here a particular account of the province of *New Jersey*, but that I thought needless. The person, *David Barclay*, whom this comes alongst with, being more able to give you that satisfaction, as whose interest obligeth him to a more narrow observation of its natural advantages, and whose place being one of the Council,

gives a larger liberty and occasion to inspect the concerns of this Province. But in general its a healthfull, pleasant, fruitful Country, in many places of a most Luxurious Soyle, rewarding the labour of the Countryman sufficiently; its well watered with many fair and pleasant Rivers and Creeks, stored with several sorts of fish, and most of the Rivulets convenient for mills, whereof there are severall, both for Sawing of wood and grinding of corn. They raise great store of Hogs and Cattle; and fowls they have in abundance. The Countrey for ten or fifteen miles up from the River and Sea is generally plain, farther up Mountains. Besides the Towns mentioned in the publick paper since Governor *Lauries* arrivall, there is laid out at *Amboy-point* 1000 Acres for the City of *Perth*, divided into 96 Lotts, 9 Acres to a Lott; the Remainder is for the streets, Market place, Governours house, and other publick conveniencies. How large the Countrey is, is a question hard to [186] resolve, and how much bought by the Proprietors (if any,) *David Barclay* can satisfy you. The Inhabitants are *English*, with a few *Scots*, *French*, and *Dutch*, of sufficient number to defend themselves against any prejudice may be offered them by the Inhabitants. That Fancie of a Common Improvement will not take, but whoever expects profite from their Interests here, must Improve them a part. I have sold some of your Gloves at 2 shil and 6 pen: 3 shil and 4 pen: a pair; being what I could gett for them: the money five and a half parts less than English, and shall make an account thereof at meeting.

Present my service to all Friends.

I am Your very humble Servant
Sic Scribitur *George Mackenzie*.

A Double of a Letter from *New Perth*, dated the 1 of the seventh Month, 1684. From *John Reid*, who was Gardener to the *Lord Advocate*, to a Friend at *Edinburgh*.

Seeing it hath pleased *God* to bring me and mine safe unto this port, I took upon myself as obliged to write something according to my promise of this country: indeed I must say its a brave place, but I have not had time to take such observations as I would, being so ingagged to attend my other businesse. Here is no outward want, especially of provisions, and if people were industrious they might have cloaths also within themselves; by the report of all, its the best of all the *Neighbouring Collonies*, it is very wholesome, pleasant, and a fertile land: [187] there are also some barren land, *viz* white Sandy land, full o fPine trees, it lyes betwixt *South River* and *Barnegate* or *Never-sink*, (albeit there be also much good land in that precinct,) yet its a good place for raising a stock of cattle, providing they they have large

room to run in, for cattle finds good food there in winter, when none is in the best land, and therefore do the inhabitants provide little hay in winter. The soyl of the countrey is generally a *red marle earth* with a surface of black mould (nor doth it appear what really it is to their eyes who cannot penetrate beyond the surface) full freighted with grass, pleasant herbs, and flowers, and in many places little or no wood, but most places full of large timber, as walnut, especially oak; there be some places here and there in the Woods, they call swamps, which is low Ground amidst or betwixt rising ground full of bushes, which holds water in winter, tho most of them be dry in Summer, but these being cleared, and some of them that needs being drained, are the richest land. Here are great conveniences of Bay, Sounds, Rivers, Creeks, Brooks, and Springs, all over the Province, but one of the best things is the large quantities of brave Meadows, both salt and fresh, which makes the people here able to supply their Neighbours as they doe, throw the abundance of their cattle. I know one Planter who hath a hundred of cattle, not above three years settled; and no wonder for some of the grass is as high as my head. Its a pity to see so much good land as I have been over in this province lying waste, and greater pity to see so much good and convenient land taken, and not improven.

As soon as any of the land here comes to be cultivated, it over-runs with small Clover-grass, by the [188] pasturage and dunging of cattle, and so supplants the naturall grass and herbs, notwithstanding of their quick and strong growth. Fruit trees also prosper well here. *Newark* made about a thousand barrells of Sider last year, (a barrell is 8 *Scots gallons*) this is like that of *Woodbridge*, who made 500 barrells of pork in one year, before the law was made against the Swines trespassing.

Here they sow most *Indian corn*, and Wheat; some Rye, Barly, Oats: *Indian corn* the first year that they break up or plough, the second they sow Wheat, because the spontaneous growth of the weeds is done away by howing the *Indian corn*, as we do cabbage: here is one planter makes accompt, *That he hath about three thousand bushels of wheat reapt this year*: I suppose he hath above a hundred acres of it, but I doe not make these instances as so many precedents.

I know nothing wanting here, except that good Tradesmen, and good Husbandmen, and Labourers are scarce: a Labourer may have a bushell of Corn *per day*, when he is a little acquainted with the work of the Countrey, but Tradesmen much more. Smiths, Carpenters, Masons, Weavers, Taylors, Shoemakers, are very acceptable: any who comes let them bring some cloaths, and their proper tools with them, as used in *England*, and provide butter, bisket, wine, and especially beer and ale, for their Sea voyage, besides the Ships allowance; and they need not fear when they come here, albeit they have no more, yet they will be better if they have something either in money or *Scots*

linnin and stuffs to buy a little provision at first, to set them up a house and buy a cow or two; and tho a man be rich, I would not advise him to bring many servants, at least not to keep many at first, untill he see about him and know what he is doing.

[189] I cannot tell what goods are best to bring, *David Barclay* can tell better; But he who brings money may expect 15d for the *English* 5 shil.: some may bring a Little of the best Wheat for a change of seed, and some barley, and Oats, for the same use: also a Little *Scots* field peas, there being none such here; bring also some great clover seed.

There are a great store of Garden herbs here, I have not had time to inquire unto them all, neither to send some of the many pleasant (tho to me unknown) plants of this Countrey, to *James Sutherland* Physick Gardener at Edinburgh, but tell him, I will not forget him, when opportunity offers.

I had forgot to write of *Ambo*, or *New Perth*, therefore I add, that it is one of the best places in *America*, by the report of all Travellers, for a town of trade; for my part, I never saw any so conveniently seated: this with my love, and my Wifes to all friends, and acquaintances,

I Rest thy friend

JOHN REID.

David Mudie's Letter to his Wife.

New Perth, the 12 December, 1684.

MY HEART.

I hope this shall find you and your children in Good-health, and I wish in as much satisfaction as I and our Children are here: far beyond my expectation and others, my well wishers, who are [190] with you. My last to you was upon my arrival here, dated the 8th of *November*, and at that time I could give you but a small account of my Judgment anent it, it would take a great deale of time to inform you of every thing, as it truelie is: But to be short, I have travelled through a part of it, and it is far larger than ever I heard it reported in *Scotland*, I dare say above a third more ground, and there is abundance of brave Rivers through it all, better than ever I did see in any place, brave Meadows alongst all the River sides, and lands above the Meadow ground; abundance of Fresh water Brooks, and Springs, plenty of Fishes in all the Rivers, in the Summer time, and that very good Fishes such as they preserve for Victual in the Winter, and in very few days they use to take more than they make use of in Winter; as for wild Meat there is of all sorts. *Cows, Sheep, and Oxen* as large as in *England*,

and abundantly cheap, considering their goodness. Corns and all Sorts of Fruit in great abundance, and no less than they are called in *Scotland*. Money within this three years is become pretty plentiful, servants dear and scarce. I have taken up Six Acres of Land in *New Perth* which pleases me exceedingly well, in regard it is good Land, and fit for building of a City, and Persons of Good Fortune are come from New York, and other places in the Country, and are very busy building; and I am begun to build a house, and have near digged the ground, which is very hard, it being, under a great part of it, Oker, which is hard to digg, and the least deepness is eight feet. I have my two Wrights Squaring of Timber for it, and I resolve to have it a good Handsome House, Six Rooms off a floor with a Study, two stories high above the Sellers, and the Garret above; And I doubt not [191] if the Frost bide away, but I shall have the Sellers finished, and the gests laid above it, against the latter end of this month. For the Land that lyes to the house, I resolve to fence in two Acres of it for an Orchard, and an Yard, and to have that done before the middle of February, and to have it planted with fruit trees; for I find a man in three years will have more Fruit in such an Orchard than he knows how to make use of.

And about the middle of *February* according as the Weather is, I resolve to go out where I have taken up my Land, which is upon a River, called the *South River*, which is an exceeding pleasant River, and place; there goes onely with me there Mr. *David Violent*. I can go from *New Perth* to it in a Boat, in two houres and a half, let the wind blow as it will, and come back again in as much time. I wish I had as many Servants here as I could make use of; Any man that is frugal, and hath 300 lib. Sterling in Stock, to come over here, and bring over 7 or 8 good Servants with him, I could assure him in 3 years time he should make a stock better than 1000, if not 1500 lib. if he bestow his money right in *Scotland*, and take advice to bring all things here which is necessary for him to have in this Country. I am uncertain of the time I will be at Home, but I resolve you shall come over with me again, and ye will both think and say, when ye see the Countrey, that ye wish it had been done twenty years agoe. I thought it not fit to trouble my friends and relations, since I could not write [but] short Letters to them, but any of them that desires to know the condition of this Countrey, ye may shew them this Letter, since there is no secret in it: you will find by *William Burnet's* Letter, that he desires some of his Sons to come over, and *John Geddis* [192] writes for some of his Brethren; the which Letters cause [to be] delivered them carefully, and get a answer, that if they be to come over, ye may speak for their passage timely. He tells some of them are good Wrights:—which is all at present, but keep a good heart to yourself, and take care of your

Children, and I hope to see you with more Comfort than we parted,
and I am your ever loving Husband while I breathe,
David Mudie.

James Johnstone of *Spotswoode's Letter to his Brother*, John Johnstone
Drugest in *Edinburgh*.

East Jersey the 12th of December 1684.

LOVING BROTHER.

I have taken up a part of my Land 9 miles from *Amboy*, and 4 miles from *Piscataway*, and as far from the nearest part of *Rariton*, on a Brook side, where there are exceeding great plains without any Timber, there is excellent Gunning for Deer and Turkeys, of which there is great plenty, and easily shot. But I resolve to see a place called *Barnegate* which is 60 or 70 miles from this, on the Southernmost place of the Province, where there is a good River and Harbour, the best Fishing and Gunning in any place in *America* 30 or 40 miles from any Plantation. The Indians here are nothing to be feared, the Place being as peaceable as any where else. I had occasion to travel through *Long Island*, and *Statten Island*, and for many miles found as many towns and plantations in the way as in any so much Land in *Lothean*; there are no Bears [193] nor Ravinous Beasts but Wolves, which are nothing to be feared, neither are the Country People afraid to be among them all night, in so much as I oft times going wrong, and lying out all night, and hearing their yells about me, and telling that I was afraid of them, the Country People laughed at it: neither are the Snakes any thing to be noticed, for nothing can come near them, but they give warning with the rattling of their tail, so that People may either kill them, or go by them as they please.

Oxen are so well taught that they go sometimes in a Plough, or Cart, without Horse, or without a Gade-man; Horses and Cattle are as cheap as in *Scotland*, considering their goodness and the difference of the Money. All sorts of *Scots* goods sell well here, ye will be advised with the next Occasion, what goods sell best in this place. I have great reason to thank God, that I am in a place which abundantly answers any thing I expected; The Air is healthful, and the Soil fruitful; the *Indian* Corn yields commonly 2 or 3 hundred fold, Oats 20 fold as I am informed; the *Indian* Corn is an excellent grain, I have eat it and like it very well in Pottage and Bread. There are several reasonable good towns in this Province, most of them hath more than eighty Families; there are no poor persons here, but all are half idle in respect of what they work with you.

Flax, twice heckled, sold at 9d *per pound*; Wool is very cheap,

Only work is dear. The Liquor we most use is Sider ; we have great store of Fruit. In many places untaken up there are many places and not a tree. I have never since last parting had any sickness to keep me from one Dyet, for which I render thanks to God. The *Indians* here make it their trade to kill Venison, and sell it to us ; for a small matter, I will have my Family served with [194] Flesh all Winter ; one of their *Sachiams* (which is their King) came to the Governour when I came first here, desiring he might be suffered to trade with us, and not be beat out of our houses when they were drunk, but only that we might bind them, and permit them to cut timber, and some such things. At *New Perth*, we have a good Stationers Shop of Books. The land is no where difficult to clear, albeit the trees be 100 foot long, and 3 or 4 foot over ; I would heartily wish and perswade any to come over that intends to live well, plentifully and pleasantly ; Neither is there any Tradesman or Servant that could come wrong to this place, and I could wish my best friends no better but [to be] in the same place with me. The old Inhabitants are a most careless and infrugal People, their profession are most part *Protestants*, few *Quakers*, some *Anabaptists*, it is most desired there may be some Ministers sent us over, they would have considerable Benefices and good Estates ; and since it would be a matter of great Piety, I hope ye will be instrumentall to advise some over to us ; the place is abundantly healthfull, as any else. There is a great difference betwixt the people here, who are Strong and Vigorous, and the people more Southerly in Maryland. We have great store of Venison which is sometimes as fat as Pork, one good Buck is sold at 5 *shil.* and by the *Indians* at 2 *shil.* Oats are sold at 18 *pence* the Bushell. All sorts of Fish is here exceeding plentifull, the poorest Persons eat no meat that is Salt, except Pork ; in Summer they live much on Milk. I would no more value the Sea coming through if I had occasion, than ye would riding of 20 Miles ; let me be remembered to all friends, to *Patrick Fortune* who most carefully dissuaded me from this Voyage ; which I doe not repent, but would [195] as carefully perswade others, who study their own good. What I most earnestly desire of you, for the encouragement of this Plantation, is, [that] you would be Instrumental to send us over some Ministers, who I dare engage shall afterwards ever be thankfull, and I oblidged to be, your ever affectionate Brother.

James Johnstone.

Amboy : or New Perth in America, 9 of November, 1684.

Dear Brother,

Having accidentally met with the Bearer, had not time to give you any particular accompt of this Countrey, only assure you, that it is

beyond (not only) all our expectations, but all that ever you have heard spoken of it, we (praised be God) all of us arrived safely without the loss of any one Passenger; scarcely any of them was ever sick, only we had much trouble coming from *Maryland* by land, our Skipper having for his own advantage put in first at the *Capes of Virginia*: but we have had a brave Prospect of the Country, and all the way, as well as in this place where now we are, we found plenty of Corn, and all kinds of Fruit, with Fish, Venison and wild Fowls, in such abundance, that a Deer may be had for 2 *shilling* Country money, and Turkies for 6 *pence*, which will be at least as big as any 2 Turkies in *Scotland*, and are really Turkies, only blacker than tame Turkies that you have seen. I shall give you full satisfaction with the next [196] occasion, pray you fail not to write to me when you meet with any, other-ways you desoblidge him who is ever yours,

D. Mc'Gregor.—

Written to his Brother *Munivard* in *Scotland*.

Patrick Falconer's Letter to Maurice Trent.

Elizabeth Toun in East Jersey,
the 28th of October, 1684.

Sir

My last was dated the 22, Current, from Philadelphia, at which time I could give you but a small account of the Country; and as yet its but a small account I can give by reason that I have had but a little time here as yet; I have travelled on Foot more than a 100 miles in *East* and *West Jersey*, and *Pensilvania*. I have also travelled in *Maryland*, I cannot but say it is a good Country, but its possessed with a Debauched, Idle, Lasy People, all that they Labour for is only as much Bread as serves them for one Season, and as much Tobacco as may furnish them with Cloaths. I believe it is the worst improved Country in the world, for the *Indian wheat* is that they trust to, and if that fail them they may expect to starve. I find *Pensilvania* and the two *Jerseys* are the places which set themselves out most for Planting of Corn; as for the *Jerseys* I need not insist in commending of them, for *David Barclay* and *Arthur Forbes*, who had a longer stay here than I have had, will give you a more full account; for I intend to write no more than I [197] am able to make good, I may say, that it is a pleasant Country, I did never see more pleasant Meadows, and Grass, than I have seen in both the *Jersies*; I have seen plains of good Hay consisting of about 50 Acres of ground, hardly one tree to be seen upon the whole spot: And there are several places so. I can say its a well watered Country, and good waters, and if they were desirous, they

might have a very good Quarrie here for Stone of any sort, and Limestone likewise; but so long as Timber is so plenty, they will not be at the pains to seek after Stone; there are some houses in the Country built with stone, but very few. Having fallen in here, the end of the year, I cannot be capable to give an account what may the product of the Country, but I hear that all sorts of Grain hath very good Increase, I see [the] Country abounds with Apples, Quinches, Peaches, Walnuts and Chesnuts, and Strawberries in great abundance, wild Wine-Grapes are plentifull, wild-Fowl of all sorts, a great number of Deer, Turkie-Fowls wild, in great abundance and very big: I have seen these things in great plenty. I hope ye will excuse me because I am not capable to give an ampler account of the Country, for I have not been two dayes in one place; I will tell you this is a good Country for men who resolves to be Laborious; any who comes here they must resolve to work hard for the first two or three years, till they get a little Ground cleared, for this must be looked on as a wood-Country, tho I must confess the woods are not so thick as people expects; and there are several places in the Country where there is little or no Wood. People are generally very curious to have their Land near Navigable Rivers, but when they are better [198] acquaint, they will find that the farther back the better is the Land. There are abundance of Fish and Oysters here. This is not a Country for idle people, but such as will be at pains they need not doubt but to get Bread here in plenty,—so I wish it be the Lords will that we may have a happy meeting again, his will be done; I wish you may be protected by the Lord; this from

Your affectionate Friend and
humble Servant,
Patrick Falconer.

Abstract of a Letter writ by *Peter Watson*, (who went over a Servant with *David Barclay*, in the year 1683,) to *John Watson*, Messenger in *Selkirk*.

New Perth, the 20th of August, 1684.

Cusing

I could never write to you before now, because I was never rightly settled, and am not yet fully settled, but I am from among the rest of the Servants. One *James Reid* and I and our Families are together, set out to a Farm at *Amboy*; we are to have some Land laid out to us, and we are Stocked with two *Mares*, four *Cowes*, two *Sows*, two *Oxen*: my Wife and I and the Child *Richard* are very well in health, and hath been so ever since we came out of Scotland. Now as for this Country,

it is a very good Countrey; indeed poor men such as myself, may live better here than in Scotland if they will but work, a man can have Corn and Cattle or any other Goods for his work, and he can sell these goods to some hands for money, it is not for a man that hath a Familie to come bound four years, but young men, who [199] have no trouble, they will do better to come and serve four years here than to serve in *Scotland*, for they are not so hard wrought as in *Scotland*, and when the four years are out, they can gain abundance to work to other men; or if they desire to settle upon Land of their own, they can have it reasonably Cheap: the hardest work that is here, is clearing of the Ground, and felling of Trees, and the like; the first year is the worst, till they be accustomed with the work of the Countrey. My Neighbour and I did clear from the middle of *February* till the midst of *May*, five Acres of Land and have it planted with Indian Corn, and Indian Beans, and Tobacco for our own smoaking, a man who lives here needs go no where to buy any things, here he can have Corn and Cattle and every thing that is necessary for mans use, if he be Industrious; only the thing that is dearest here is Cloathing, for there are but few Sheep to this Countrey; but there are store of all other Beasts, such as Horses and Cows, and Hogs; there is here good Fishing, good hunting of Deer, and other kind of wild Beasts: The Countrey is very healthie as I have seen yet, it is cold in the Winter like unto *Scotland*; But fra once the Summer breaks up, it is hotter than it is in Scotland. There are here very good Religious People, they go under the name of *Independants* but are most like to the *Presbyterians*, only they will not receive every one to their Society; we have great need of good and Faithful Ministers, And I wish to God, that there would come some over here; they can live as well, and have as much as in Scotland, and more than many get: we have none within all the Province of *East-Jersey*, except one who is Preacher in *Newark*: there were one or two Preachers more in [200] the Province, but they are dead, and now the people they meet together every Sabbath day, and Read and Pray, and sing Psalms in their Meeting-houses. This Countrey is very well settled with People, most part of the first Settlers came out of *New England*, very kind and loving people, kinder than in *Scotland* or *England*; And for the *Indian Natives*, they are not troublesome any way to any of us, if we do them no harm, but are a very kind and loving people; the men do nothing but hunt, and the women they plant Corn, and work at home: they come and trade among the Christians with skins or Venison, or Corn, or Pork, And in the summer time, they and their Wives come down the Rivers in their Canoes, which they make themselves of a piece of a great tree, like a little Boat, and there they Fish and take Oysters. This Countrey is a very pleasant Countrey, with Rivers and Creeks to fish in; only it is full of Wood, such as Oak

and Walnut tree, Chesnut, Poplar, and Cedar. The only thing we want here is good People, I wish that all the poor Friends I or my Wife hath were here: As for my Brother, if ye have a mind to come Brother, if you have but as much in the world as would transport you hither and your Family, I would desire you earnestly to come, and bring my Sister with you; if you have as much as will transport you sell all and come, tho you had not a penny after your passage were payed, you need not fear if you have a mind to work. I was as little brought up with work as any man, yet blessed be God, I can work now as my Neighbours, and live very contentedly with my Wife, better than ever we did in *Scotland*: show my Mother in Law that my Wife and I would be very well pleased if she would [201] come over, there are as old Women as she comes here out of old *England*: there was one came amongst with us older than she: if she will come she shall live with her Daughter and me, as easie, and as well as ever she did live in *Scotland*, and I do know that was well enough. My Wife and I are well at present, as you could wish, God be blessed; I can say no more, but my love to my Brother, and his wife, and all Friends.

I rest your loving Cusin

Peter Watson.

A Letter writ by John Campbell to John Dobie.

New Perth 8th of November 1684

B. *John*

I wrote a line from *Philadelphia* to you, as we were coming hither, your Cusin *James Dobie* the bearer is in such haste, that I cannot write what I would say; but in short, we are come here to a good wholesome Countrey, in which with little industrie a man may have a comfortable life. There is good Wheat and Oats growing here, and *Indian Corn* which our Servants like very well; There is Fish and Fowl [in] abundance, and of cows and Horses; they labour with Horse and Oxen. There is Deer through all the countrey, and Turkeys which some of our servants have killed a part of aready. There is Partrages and Quails very rife, that my wife yesterday morning saw about 20 of them walking before the door like Chickens. I shall say no more till I see further, for I am [202] with others going to the countrey, on Monday to see for the countrey lotts: for I have taken up the Towns already, and cut down the trees of two Acres of ground with six men in three days. My service to all Friends. I am *your most assured Friend*

John Campbell.

A letter from Thomas Fullerton, Brother to the Laird of Kennaber, to his Brother in Law Doctor Gordon in Montrose.

Elizabethtown 4 January 1685.

Dear Brother

By my last about a Month since, I dated from *Amboy*, you understand that we came to *Sandy Hook* 18 weeks after we sailed from *Montrose*, we were 9 weeks at Sea from *Killebeg* in *Ireland*, we had many cross winds, what other accidents we met with by the way were worth the telling, but not the writing: blessed be *God* we all kept our health very well, only one Boy fell overboard. What you expect, and I design by this, is a brief, but true accompt, of the Countrey. The first land we discovered was about the middle of *Long Island*, it appeared at first like trees, growing out of the Sea. Towards night we Anchored in *Sandy Hook*. The land is low and levell, that is the reason we were within 8 or 10 mile thereof, before we saw it; the countrey appears all over Woody: I landed on a Sandy-bank and close by the flood marsh where grew *Bayes*, *sassafrax*, and severall prettie shrubs. I knew not: The Woods consist of severall kinds of Oaks, Chesnut, Hickory, Walnut, Poplar, and Beech; Cedars grow on swamps and barrens, Firrs and Pines only on barrens. The ground generally is 2 or 3 inches [203] deep of black dung as it were, below that is reddish mould. What you heard of the product of the *Indian Corn*, viz. 100 or 200 fold; of 20 or 30 fold *English wheat*, of the abundance of deers and wild horses and severall turkies, and of the great plenty of fishes, are all true. There is very much cider here; In 13 or 14 years you may make 100 barrells from your own planting:—the best fleshes of all kinds ever I did see are here, tho this in respect of what you have heard, be generally tautologie: yet I found myself obliged to write it, because I am witness to the truth thereof, without *Hyperbole*.

Notwithstanding of all this, its very troublesome [and] expensive to settle a plantation here, and when it is done, I cannot promise you a man will grow very rich; but he needs want nothing, and it is not every one will agree with the solitude of the Woods: those who can, and resolve to lead a countrey life, cannot doe better than come hither. A merchant who will come over and set up store in the countrey for a year, will make *cent per cent* of several commodities, with which I doe allow none to be acquainted but commerrads. I wish I had some money of my stock so employed, and sent safely here. *Johnstone* of *Spotswood*, and I have taken up, upon a river 6 or 8 miles [from] *Amboy*; your Brother *Thomas* and *Robert* are here also. Servants are not easily entertained [obtained?] here. I designed to have shot as many *Squirrels* as would have furred a coat for you, but I am otherwise taken up. I have omitted to tell you that the weather here is constantly clear,

the sun rises and setts free of clouds. I have observed none to have the cough in this country, tho' I have frequently lain in the woods, abundance of fire is an excellent counter charm. Now brother as to your own coming over, [204] it will be time to invite you when I have a good house, and entertainment to treat you with unbought; for you must not feel any of the inconveniencies I have met with; we are all well, I pray *God* this may find you [so] also: present my service to all friends *Male* or *Female*, this letter will serve that; present my service to my *Grandmother*; upon *Christmass* I drank her good health in *Rhumb Madera*, and *Fial Wine*. If I can be frugall, I may be soon rich here;—by my next I hope to ensure 60, or 70, lib. to the parson, for we want a minister, this from

Your *Affectionate Brother*

Tho: Fullerton.

A letter from the same hand to the Laird of *Brotherstown* in the *Mairns* of the same date.—

Kind Commerad.

You were pleased so keenly to concern yourself with my welfare when I was by you, (and I find that absence augments true friendship,) that I am oblided to acquaint you with my present fortune, which I hope shall be far better than what I could expect by so much Stock in *Scotland*. This place is not altogether boorish, for at *New York* you may have railing and Gallantry enough, the inhabitants are generally great spenders. Dear *Brothertoun* write to me, and give me an accompt of affairs, for I assure you, neither Governour nor Council will meddle with yours to me, nor mine to you: by my next I will write to *Clunie* and *John Johnstone*: in the mean time present my service to them. I am in haste to end writing, tho ever being

Your Oblided Commerad and humble Servant,

Tho: Fullerton

[205] Abstract of a Letter from *Robert Hardie Merchant* in *Aberdeen*, to his Son *John Hardie Merchant* there, dated from

Elizabeth Toun, the 8 of *December* 1684.

Loving Son

I have writ two letters already to you at our arrival, another, shewing the death of your Brother *William*, and something of the country,

but knowe not if they be come to your hands; and now, having this occasion, know that I am in good health, and your Brother *Alexander*, praised be *God*. Know that I intend to reside here, and should wish that I had all my children with me, but your conveniencie cannot permit, neither am I able to transport them as yet; however, I desire you to acquaint your sister *Elspeth*, that I desire her to come over if possible, with her first conveniencie. I intend before her coming to have a new house in *New Perth*, and a Plantation near by it; if I had gott a good accompt of that Little *cargo* I sent over, I would have lived upon it here, as well as upon 100 *lib. sterling* in *Scotland*; But I have got a bad accompt of it: however, I hope to Provide for you all with what is left, if the *Lord* bless. Shew my brother and brothers in law, that if they would come over with each of them two Servants, they could have good Land here, at an easie rate, they might live better than masters, and with less trouble, if they took but half the pains they take in *Scotland*; for the Land is a brave and plentiful Land. Shew *Andrew* and *David Hardie* that if they can but pay their Passage and come to me, I shall make them to live in better condition than ever formerly. I doubt not but some of our neighbours will come over, to bring [206] servants here, who will give you a true accompt how I and others can live here: believe me this is a brave Land, and any who will be Industrious, may live very comfortably here. He who comes first will have the best choise, and most profitable, as for idle-men who will neither work nor trade, [they] need never come here, for there are none idle here. I wish you all a blessing from *God*, and so rests—

Your affectionate father

ROBERT HARDIE.

A letter from *James Johnstone* of *Spotswood*, dated the 13 of February 1685, from *Piscattaway* in *East Jersey*.—

Dear Brother, These are to remember my kindest affection to you, my Mother, and all friends; we have kept our healths hitherto exceeding well; Have endured a short but very severe winter, now the Weather hath been for some time by-gone exceeding good, was a *Bear-seed* season with you. I have been throw several or most places of this Country of late, But am not yet resolved where my first Husbandry shall be: the Land is exceeding good which is yet to take up, much better than what is inhabited, only not so convenient; the difficulty of clearing many places is no wayes considerable; I find Land where Several hundred Ploughs may be presently set a work. I take all pains I can to be conveniently settled, and the Governour refuses us nothing

we desire. I stand in need of 40 pound value of goods, and some [207] servants; hoping to have Corn for them, and others who come over: I could wish your self were here, we could live competently and quietly; but I doubt how affairs may permit. I wish any Land I had were sold that you might be furthered; present my love and service to my *Mother* and Sister, whom I hope to see here; I wish you would send over some Ministers, one or more, to us I am,

Your Affectionate and ever,
mindfull Brother,
James Johnstone.

Now Sir, does not the perusal of their Letters, oblige you to believe there is no deceit in the above written description of the place, seeing you find the same Homologat by so many different persons: The *Holograph* of most of them have been perused by many persons in this City, and are to be seen by any inquisitive thereant at *Captain Hamilton's* Lodging at the Sign of the Ship, for their more satisfaction of the truth thereof.

But tho you appear to be convinced that *East Jersey* is in itself a very desirable place, and consequently upon several considerations a very proper seat [208] for a Collony from this, yet I have ground to conjecture, from some tacit hints and insinuations in yours, that because *West Jersey, Pensylvania*, and, in a special manner, *Carolina*, are more Southerly, therefore *you think* there is some ground to believe they may have the advantage of the Soyl. Seeing you oblige me to tell you freely my opinion of this affair, I will be plain with you: the two first lying, the one upon the one side of the River of *Delaware*, the other upon the other side thereof, may have in themselves other advantages: but I cannot be so blind when I notice the *Mapp*, as not to discover too palpable an inconveniencie to be past over, wherewith both the said Countries are much straitened: *to wit*, the Town of *Newcastle* lying upon the mouth of the River, which doth so absolutely command the River, *that whatsoever is master thereof, may if they please, lay what imposition they think fit upon both the said Countries: seeing, if any difference should fall betwixt the Town of Newcastle, and the Possessors or Inhabitants of those two Provinces, they may make themselves very quickly Master [209] of them, by imposing what conditions they think fit upon them: seeing no ship can either conveniently go up or down the said River of Delaware but by allowance of any Fort, built upon the said Town of Newcastle.* Whatever opinion others may have of this as a matter of no great import, I have these sentiments of the ap-

parent inconveniencies thereof, as after perceiving it never to be any more so much concerned, as to make farther inquiry after these places, seeing in my apprehension, no advantage to be proposed there could compensate that so visible [in]conveniencie.

As for *Carolina*, I confess it is nothing strange that any person who hath read *Ogilby's* description thereof in his *America*, and *Wilson's* in his Treatise thereanent, Judge it, in a manner, a *Terrestrial Paradise*; but notwithstanding of all this, ere you pass any judgement upon my choosing rather *East Jersey* than *Carolina* for the seat of a Colony from this, allow me to give my reasons why I do prefer the one to the other. [210] We lye here in 56 Degrees of *Northern Latitude*, *Jersey* in 41, *Carolina* in 31; it is very obvious to any understanding person, that our removall to 41, is more probably contributive for our health, than to 31, being ten degrees hotter, and consequently more dangerous; whatever opinion others may have of this I judge it a matter of no small consequence, health being very much preferable to all other things whatsoever.—

But further, our access to *East Jersey* is very patent, no apparent obstructions in the way, whereas the coast of *Carolina* is the most dangerous in all *America*, there being a bank of sand lying all along the same for 200 Leagues and upwards, so that the entry to any part thereof is altogether hazardous; we have too sad a proof of the truth of this by the Shipwreck of the *James of Air*, upon that bank this last Harvest, in which were lost upwards of 60 people.

Experience also teacheth that the Climate of *Jersey* is far more suitable to our *Constitutions* than that of *Carolina*. [211] You find in all the Letters come from *Jersey*, this one particular specially marked, *that it is a very healthfull air*; no complaints of sickness there: whereas in the few Letters from our Countrey men settled in *Carolina*, You have an account of the *death of the greatest part who went hence to that place*.

There is one further consideration obliging me altogether to close my Ears and Eyes against *Carolina*: whatever specious pretences may flie abroad in favour thereof, and be received by such who are not concerned to enquire further than to *hear-say*; and that is, the consideration of the model of the Government, than which nothing can be more discouraging to any having the sense of a rational Man, or spirit of a Gentleman. The offices of Honour and Trust, such as Chancellour, Thesaurer, Admiral, Secretary &c. are all Hereditably annexed to the Proprietors, by the constitution of their Government: so that let a Gentleman deserve never so well, however eminent his parts may be, he must in the first place purchase a property, ere he can attain to any of those places of [212] Trust, or Honor; whereas, if you have so much Money as to make this purchase, you may then come to these preferments though you were the *arrestest Blockhead in nature*! Money here makes you

capable of Preferment, which neither Virtue, Merit, nor parts can do! Can there be a greater discouragement to any person of *Spirit* or Honour, than to go subject himself to a Government where he sees himself debarred of any Trust or Preferment, howsoever deserving he may be? unless he hath money in a manner to buy it with. Both in this *Kingdom* and our *Neighbour Nations*, we see mean Persons have by their Parts and Merit raised themselves to places of the highest Preferments in the Kingdoms, and have discharged that Trust conferred upon them with *Honour* and *Applause*; So that when I have this consideration before my Eyes I must conclude any who subject themselves to that *model of Government* are either ignorant of the Constitutions thereof, or of very mean Spirit, to settle themselves in a place where Virtue nor Merit can neither raise them, nor their Posterity! [213] Let me add another Ground of my dissatisfaction with the *Model of that Government*, and you may judge whether the same be reasonable or not. There are *eight Proprietors*, by their *Constitutions* it appears clear to me, that they are so many *Sovereigns*, seeing by one express *Article* of their *Fundamental Constitutions*, it is declared, *That the Proprietors are no wayes subject to Law, in so far as to be censured by any Judicature there*: So that be their Actings never so Illegal, or unjust; if any [of] these *eight Proprietors* should commit Murders, or Rapes, or any other Act of Oppression, they cannot be challenged upon account thereof in any *Judicatory* in *Carolina*.

These being so material objections, I need not add the apparent hasard of being next Neighbour to the *Spaniard*, whose interest it is to ruine any settling at *Port Royal*: how little probability there is, that any going at first from this can be of sufficient strength to defend themselves against their designs, as in case of any assault from that airth, their next and only neighbour *Charlestown* [214] could not give that help, which were requisite in such an exigent, either against the *Spaniards* their next neighbours, at *St. Augustines* Fort, or the *Natives*, if they should become quarrelsome Neighbours. But from the complex consideration of all together, I must divest myself of my reason, ere I judge *Carolina* a proper seat to settle myself in.

But tho you be obliged to grant that *East Jersey* may be the most desirable spot of ground upon the continent of *America* for such a design, upon the above written considerations: yet I do apprehend you may incline to think that *Tobago*, *St. Luce St. Vincent*, or some of these Islands, were yet more proper as affording at first view greater ground of expecting suitable returns to the apparent expense and hazards of such an undertaking; witness the great riches of *Barbadoes*, by the improvement of Trade, from that place all *Europe* over.

In answer to this I must confess, Sir, that there may be greater improvements of such Islands as to trade, when they do come to that

length of improvement, as to produce *Sugars, Cotton* [215] *Indigo, &c.* ; But let me also tell you, there is a certain prospect of far greater and more imminent hazards in settling there, than in *East-Jersey*. It is certainly obvious to the meanest capacities what hardships these must be obliged to lay their count to meet with who would enterprise such a design, not only from the wants they might be exposed to throw lack of necessary supplies, wherewith they cannot expect the conveniencie of being furnished, but from other hazards and difficulties. It is not small stock could set such a design on foot neither can it be expected that such who would engage in such undertaking from this place could in many years attain to that strength which were necessarily requisite for defending themselves even against the Piracy of a *Buccanier* or two far less against the invasions or assaults of foreign States and Princes.

As for my own part I must confess I am not very anxious of great Riches, as the result of this undertaking, but to carry my Wife and Children with me, I am bound the best I can to look to their Accommodation: when I land in *East* [216] *Jersey* there are Lodgings, and all other necessaries to be had for money, till by our own industry in Labouring the Ground, we provide for ourselves, which could not be expected in one of these Islands. If I have a Countrey no worse than the *South of France*, with these conveniencies above narrated, I desire no richer Soyl: though greater expectations might be had of the result of such a design of settling in one of these Islands, as to Profit and Gain, when once come the length of a good Trade.

But besides this our *Countrey People* which will be the *strength of any Collony* to go from this place *know very well how to labour the Ground, for producing all sorts of Grains, after what fashion to breed abundance of all sorts of Bestial, in both which, will the greater riches of Jersey consist: But it cannot be expected, that they know how to improve these Islands, for Sugar, Cotton, Indigo &c. and this being altogether out of their road, we should thus be altogether deprived of the assistance we may rationally expect from them, by proposing to settle in a place where the Negro Slaves could do more service, and* [217] *be far more usefull than the most laborious and judicious of our Countrey People.*

As for the ordinary *Objection* against settling in *Jersey*, upon account of the inconveniencies [that] may arise from having a *Governour* of Principles alledged inconsistent with the standing of any Society, upon this one head mentioning no other, that a [*Governour*] who professes *he judges it unlawful to draw his sword to defend himself against a Native, if he were coming to cut his throat, can never be so careful in providing such certain and speedy remedies for preventing any hazard that way, as are absolutely requisite for the security of these who settle there, both against any Designs of the Natives or Forreign Invasions.* This is very easily answered, that there being several very substantial Citizens of

London concerned in this Plantation who are not of this Principle, who have laid out considerable sums on this Design, as I am obliged to know by the account I have from one of them with whom I have some correspondence: who tells me *he himself hath laid out 1800 pounds*, It cannot rationally be supposed that they will be so unconcerned, as not to follow such measures as may secure what interest they have there. [218] Methods are already laid down, which I know will satisfie you in this particular, that as to defence against any such inconveniencies, *East Jersey* will be as effectually secured as any of the Neighbouring Plantations.—

As for any other apprehensions you or others may have upon this head, I shall only say, *whatever Mr. Barclays Principles may be, he is a Gentleman known to be abundantly qualified to advance the interest of that Collony; else the Trust thereof had not been devolved upon him by the Proprietors, who are Men more knowing in their own affairs, than to have made an escape [mistake?] in so material a point: they are Men abundantly sharp sighted to remark his Actions, and accordingly as they find them for the interest of the place, to continue him in that Trust or not; And you may be assured, he understands himself so well as to behave himself in that station so as becometh a Gentleman, concerned in his own Credit and Interest, seeing upon the least malversation, he is as well tyable to censure of the Law as the meanest Inhabitant.* Which consideration abundantly [219] secures any reasonable Man against the apprehensions of any inconveniencies from his being Governour; tho his inclinations prompted him to act upon a selfish design, to the prejudice of the general interest of that Province, I perswade myself, he is more a Gentleman, than ever to be guilty of any thing that is base, or unbecoming a Gentleman.

It is now more than time to bid you farewell, having nothing further to add, hoping from what is here said, you will rest satisfied, that in prosecuting this design, I do act upon solid foundations: let the result be what it will, I hope you are convinced I have not proceeded indeliberately therein. I am not so foolish as to propose no difficulties to myself to be rencountered, notwithstanding all the encouragements above written; I am too well acquainted with all the *Spanish, French, Dutch, Portuguese* and *English* undertakings of this nature, and their straits and difficulties they have been trysted with in prosecuting thereof, to think I have any ground to expect to be altogether exempted from all the inconveniencies they met with; as to this I cast myself altogether upon the divine Providence, being convinced, I am in my duty. If you please to [220] take a share, it would be not a little encouraging to me; you see that we have some Gentlemen of our Countrey settled already there, so that I am hopefull we may have there a very agreeable society: if your affairs cannot allow, your good wishes are expected by, Sir

Yours &c. G. S.

Sir Since the conclusion above written severall other Letters are come to my hand which I had not formerly seen, most of them of a later date: I resolved to add them to the rest for your further Confirmation.—

A Letter for Mr Robert Paterson Principal of Marishal Colledge, in the City of New Aberdeen, in Scotland.

*Woodbridge, in East Jersey
in America, March the 7th, 1685.*

Sir, I Hope you have heard of our Voyage and safe Arrival here. I thought it my duty to present my dutiful respects to you and all Friends at [221] *Aberdeen*, and to acquaint you of mine own and all their welfares who came over the last year, all which intend to settle in the Countrey except —————, who has spent all his means already foolishly in drink, and is returning home for more. You have *David Barclay* and *Arthur Forbes* to inform you of this Countrey: when I have seen it through all the Seasons of the year as they did, I shall then give you my opinion, if you be desirous: only in short, what I have seen I may write,—that it pleases me better than *Virginia, Maryland, Pensylvania,* or *West Jersey*,—that it is pleasant to mine eyes, and I find it healthful to my body. I am not troubled here (blessed be God) with defluitions, head aikes, and coughs, as at *Edinburgh*:—that the land is furnished with all conveniencies of Nature, such as Wood, Grass, Meadow, and abundance of fresh Water Springs, Brooks and Rivers, and plenty of Deer, Turkie, Geese and Ducks; many tender Herbs, Fruits and Trees grow naturally here that will not grow in *Scotland* at all: these things are so notoriously known, that it is superfluity to write them, and no unbyassed person will deny them, or speak ill of the land. There is about a dozen or 14 houses in *New Perth*, and the half of those built since we [222] came; several others are building presently, and many others have taken Lotts to build; Mr *Mudie* is building a stone house, and has a Horse Mill ready to set up; Governour *Rudyard* intends another Stone house this Summer.—The Governours house, and the publick Court-house are abuilding. It is the best scituate for a City of any yet I have seen, or for ought I can learn, of any yet known in *America*. There is great encouragement here for all kind of Tradesmen: I intend myself to follow mostly Planting and Fishing. Let this remember me to all my Friends, Relations Comorads and Acquaintances at *Aberdeen*; I could not write to them all, being busied about mine own settlement, and it is now far spent in the year, so that I do not expect to do much this year; neither could I settle sooner, by reason that my bed-cloaths are not yet come from *Maryland*, and the land I intend to settle on is not yet purchased from the *Indians*. I in-

treat to hear from you on all occasions, and what remarkable News abroad or at home, and how the *Civilists* place is disposed of. My service to yourself and bedfellow. I am Sir, Your most affectionate and humble Servant *Charles Gordon*.

[223] *For Mr. Andrew Irvine Merchant, at his Shop, in the East end of the Lucken Booth in Edinburgh, in Scotland.*

*Amboy in the Province
of East New Jersey, in
America, March the 5th 1685*

Dear Andrew

I suppose ye have heard of our voyage from my Brother, and Governour *Barclay*. I shall only in short tell you that notwithstanding the loss of our masts, we were not only 8 weeks betwixt land and land, and entered the *Capes of Virginia* the same day 9 weeks we parted from *Aberdeen*. We sailed up *Chessapeek* bay to the head of *Bohemia River* in 2 Sloopes, from thence we came to *Elizabeth Town*, partly by Land and partly by Water: the storm being the tail of a *Hurricane*, was not universall, for we heard of no Ships which met with it but ourselves; nor the *Montrose Ship* did not meet with it. There is encouragement for several trades here; in the first place Planting: for *Wheat, Indian Corn, Beef, Pork, &c.* give all ready money in *York* and the Neighbour Collonies: *Wheat* 4 shillings the [224] bushel, *Indian Corn* 2s or half a crown. *Pork and Beef &c.* to be had at an ordinary easie rate. And in the second place there may be Fishing: For the *Inhabitants* aver they swim so thick in the Creeks and Rivers, at certain seasons of the year, that they have hailed them out of the water with their very hands. In the third place for one to have a Malt house, a brew house, and a bake house, to make Malt, brew beer, and bake bisket for *Barbadoes* and the Neighbour Collonies; providing he have a Ship of his own, and skill to manage his business, would certainly be a good trade. Lastly for one to buy up the product of the Countrey, such as all kinds of grains, *Beef, Pork &c.* and export them to *Barbadoes*, and import *Rumm* and *Malasses*, would certainly be a good trade; as likewise change keeping would be a good trade in *Amboy*, for the highest designe of the old *Buckskin* Planters (I am just now drinking to one of them, our Countreyman, who was sent away by *Cromwell* to *New England*; a slave from *Dunbar*, Living now in *Woodbridge Like a Scots Laird*, wishes his *Countreymen* and *Native Soyle* very well, though he never intends to see it. Pardon this Parenthesis,) is to acquire a piece of monie to drink [225] in the change house. This Countrey

and particularly the Town (showeth it to be the best seituated for a city of any here known in *America*) is but yet in infancie (it not being above 48 years at most since ever there was a Planter in the Province: and that occasioned by their changing so many masters) yet there are severall thousands of People already, and no want of good company, and if ye please bad too, as in any place of the world: neither are we destitute of *Books* and *Clergy*, for *George Keith* (who arrived three weeks since with others, they were all winter in *Barbadoes*) hath brought *Mathematicks*, and *Benjamin Clark* a *Library of Books* to sell: so that you may see *New Perth* begins to be founded upon *Clergy*. Shew my Cusins, *George Burnet* and *Richard Maitland*, that I hope they will not laugh more at me, for saying in *Edinburgh*, *I would line my house with Cedar-wood*, for all houses here are covered with *Cedar*, and one just now built in *Perth*, altogether of *Cedar Wood*, it is reckoned a wood of no value here, except for its lastiness. I intend to follow Planting myself, and if I had but the small stoek here I have in *Scotland*, with some more servants [226] I would not go home to *Aberdeen* for a *Regencie*, as was profered me; neither do I intend it; however, hoping to get my own safe over. We are not troubled here leading our pitts, mucking our Land, and ploughing 3 times: one Ploughing with 4 or 6 oxen at first breaking up, and with 2 horses only, thereafter, suffices for all; you may judge whether that be easier *Husbandrie* than in *Scotland*. But I know you are no good *Husbandman*; But which of the aforesaid trades you will choose, if you will come here yourself' is more than I can divine, or will advise you to; I have told you how things are, and in *God's Name* take your own choice, as I have done. I shall tell you what I would do were I in your place, if it shall fall out you do come, I would get some trusty Comorads, Merchants, to joyn with me, and sett up a trade in *Perth*, for I think a mans own trade fitts him best: if you have 5000 Merks it is enough, 4 in goods and one in Money. Let none come here destitute of money, it is of great request here, and gets cheape Pennyworths, and 25 *per cent* of advantage by it: but I doe not advise you, for if you should meet with such trouble and disappointments as we have done by being put by our *Port*, you would perhaps be discouraged, and give me the blame. All our baggage is not yet come from *Maryland*, and I want yet my bed Cloathes, and the Land I intend to settle on is not yet purchased from the *Indians*; for after I have viewed all the Province, such of it as is yet habitable, I have chosen the *South branch of Bariton-River* for conveniency of Fishing, Fowling, and Meadows; but all the best Land lyes back from the Rivers, and the Sea Coasts; the further back the better it is, which necessitates me to go a mile back. In brief what you heard of the country is all true. so I need not spin out long Descriptions of it: no unbyassed and indifferent Person will speak ill of the Land, it is both pleasant, and

wholesome ; and industrious People, after some few years Labour, may lead a pleasant, easie Life, and want for nothing ; and I am of opinion, may grow rich too, if they take pains for it, and follow Merchandising ; and some are actually grown rich since they come here who had nothing before. If any shall miscredit what I have said, I shall not think myself baffled for that, but let them live in their opinion and I will live in mine ; And if they please they may do with me as I did with *John Skeens Wife*, cast my Letters in mine own teeth, and when [228] they come upon the place, I shall make good what I say, face to face, as she did to me : and if they come not themselves, they need not trouble themselves whether it be true or false. The goods-fit for this Countrey are all kinds of house hold Plenishing, without which and a years provision in victualls, let none come hither, if they would wish not to be preyed on by the old Planters. All course cloth such as hoddens grayes, and Plaiding, course stockings and Linning ; no fine things for an infant *Countrey*, except for a mans own use : course Bedding and Blankets :— Governour *Barclay* can give you full information as to this point. The Inconveniencies we have met with are, great trouble and charges for want of our baggage ; there is likewise trouble and charges for the first settlement in carting out ones goods to the woods :—fencing is the chief difficulty, and if there be many great trees the loggs must be drawn off with oxen and the branches burned, the trees are felled equal to a man's thigh high, but the roots are no impediments ; where is much brush the roots must be plucked up with grubbing howes : any man may learn Husbandrie here who was not acquainted with it in *Scotland*, (Tobacco would grow here as well as in *Maryland*, but it is [229] best for *European graines* :) I doe not intend to write more Letters to *Edinburgh* with this occasion, being busied about mine own settlement ; therefore I intreat you will remember me to all my friarns, Relations Comorads and Acquaintances at *Edinburgh*, and shew them of my welfair ; that I had not my health so well these 7 years by-gone, as now (Blessed be God,) and that I am not troubled with coughs and head aikes as in *Edinburgh*, which is likewise a great motive for me to stay in this Countrey. I intreat to hear from them all ; you will not readily miss occasions from *London* every Month to some place in *America* : And there is ordinarily occasions hither from the neighbour Colonies. I have received Letters from the *Bissets*, and my Brother, from *Mr. Alexander* since we came : I entreat to hear particularly from the *Professor of Divinitie and Mathematicks*, *Doctor Pitcairn*, *Mr. George Alexander*, and any others who shall ask for me, wishing you and all your concerns well, I continue *Dear Cusin*,

Your most affectionate Cusin
and humble Servant

Charles Gordon.

Postscript by the foresaid hand

[230] If any pleases to tell me what their scruples are, I shall endeavour to answer them, if Servants knew what a Countrey this is for them, and that they may live like little Lairds here, I think they would not be so Shy as they are to come; and during their service they are better used than in any place in *America* I have seen. You may know my Subscription by the sign I gave you of my Pistoles misserving in the Boat, or at least when you tell your mother, you may mind on me, for you will miss some pints of wine you spent with me (that Friday night, you conveyed me aboard) on the Shore, and in the Ship. If there were a Caball of Merchants here to export the product of the Countrey to *Barbadoes*, and the *West Indies*, and to Import *Rumm*, *Malasses*, *Sugar* and *Cotton*, &c. it would do a great deal of good to this Countrey. I intreat to know what remarkable Revolutions has happened either abroad or at home since I came away. Any Merchants who settle [231] here must take Lotts in the Town, and build houses. Mr. *David Mudie* is building a stone house, and hath already a Horse mill ready to set up presently in *New Perth*. Adieu—

For Mr. James Mudie Merchant in Montrose.

New Perth, the 9th of March, 1685.

Sir, My Love ever being remembered to yourself, Lady and Children, these are earnestly intreating you to let my Wife have any little thing she stands in need of untill it shall please the *Lord* I return, and I shall pay you very thankfully, I have left *Thomas Parson*, and resolves to trade this Summer in the Countrey, and to come home with your Uncle the next Spring. I wish you were here and your whole Family, for I doubt not but the Countrey would please you well; For there is abundance of much better Land here than ever *Arbikie* was, and an Earldome to be bought far below in pryce the vullue of what such pettie *Lairdships* as *Arbikie* is sold for in *Scotland*; without purging of the Lands of any incumbrances. For I [232] hope to winn as much monie this year; as will buy a better Lairdship than *Arbikie*; and if ye resolve not to come over, I resolve to buy Land before I come from this, and title it *Arbikie*. But I shall be sorrie to take away your title, but if I do, it will be your own fault: and for your better encouragement, I know you love a Gunn and a Dogge, and here ye will have use for both. For Wilde Geese, Turkies, Ducks, and Drakes, Partridges, Conies, Doves, and innumerable more kinds of Fowls [of] which I know not their names, are here to be seen every hour of the day, in flocks above Thousands in Number; And for your skieft which you use

to Fish with bring here with you, or one like her, for I assure you of good employment, and yet ye may catch more Fish in one hour here, than any Fisher in *Montrose* in two, excepting Podloes at the shore head.

Sir, take this as no jest from me, for what is here written is a reall truth: but ye may think, it is not my dictating, but the Writer and I have set it together the best way we can; But yet not so [233] full as I would have had it. Present my Love to your Sister, Uncle, and all Friends, and I am Sir,

Your very loving Friend and
Cusin James Mudie.

A letter from David Mudie, Merchant in Montrose: For James Mudie of Courthill in Scotland.

*New Perth the 9th of
March 1685.*

Loving Brother

I wrote you a lyne upon my arrivall] here, and by my last to my Wife, of the date the 12 *December*, I desired her to let you see it, which I hope she has done if it be come to her hands; I do now understand this COUNTRY, better than I did at that time, and the longer I travell in it I like it the better: for a frugall man with a small fortune may very soon raise a good Estate, which I wrote formerly to my Wife. In relation to the COUNTRY, I find it most certain and much better than I wrote: this Winter hath been exceeding hard and sharpe, the like not seen by those who have lived 20 or 30 years in it, which hath [234] hindered me of a great deal of work: yet I have cleared three Acres of Ground to be an Orchard and a Garden, which lyes close to the house which I am a building, which is all of Stone work with Cellars under the Ground, six Rooms off a floor, two Stories high, besides the Garrat: and I have two Masons dayly working at it since the first of *February*: three Wrights working at an Horse mill which will be clear against the latter end of this month: And I am told that the Mill will be worth 100 *lib* a year, but I am sure she will be better than 50. of clear Money, for every *Scots boll* of *Wheat* or *Indian Corn* payes here for grinding of it 2 *shill*: *Ster*. This house and mill stands me a great deal of Money, but there is none such in this COUNTRY, nor ever was. I resolve to go out to the COUNTRY to the Land which I have taken up, which is 2 hours going from my own house by water; I mind to settle some of my Servants there against the middle of this Month; I am provided with six course Horses, Oxen and Swine sufficiently in number, for any Plantation for the first year: the Land I have settled on, in my Judg.

ment is extraordinary good. If any Friends or Acquaintance hath any inclination to [235] come over here, I can assure them, if they be Frugal men, and have but 300 *lib Ster*: Stock, they may live better than a Gentleman with us of 40 Chalders of Victuall. I cannot now resolve to come home til this time twelve Months, since *Thomas Parsen* hath so much disappointed me, as I have written to my wife: but against that time, if the LORD preserve my health, I will come home then. Present my service to *Arbikie*, and to my Sisters, and to all our Friends, which will save me trouble to give them a Line; my love to your wife, and children, I am,

Your loving Brother
David Mudie

Let *Arbikie*, my sisters, and the rest of my Friends see this Letter.

Abstract of a letter from Robert Fullerton Brother to the Laird of Kinnaber, to Brothers and Sisters, from Amboy the 6 of November 1684

Dear Brothers and Sisters,

By the Mercies of the *Most High*, we are safe arryved, after a long Demur by [236] contrary winds: we encountered very happily at first with *Long Island* and the next day came to an *Anchor* in *New Jersey*. The Passengers did all very well, though we had some very rough gusts, and were very thronged in so small a vessel, being 130 Souls, besides Sea-men: of these 27 were women, 6 or 7 children only; one man whom I hyred in your house called *William Clark* standing carelessly upon the Forecastle tumbled over boards, and drowned tho we put out our boat and endeavoured in vain to save him. This Country pleaseth us very well, and appears to be nothing shōrt of our expectation. We were yesterday, ranging about viewing our Land, wherof you shall have accompt by the next: the Land in general is good, and agrees with the accompt you have heard: the Trees are nothing so invincible as I did imagine, being neither so thick nor so great as we thought. The first plant which I touched was wild Bayes, which grow in abundance here, the fruits are very excellent, such sorts as I have seen—apples the best I believe in the world, some I have seen of a pound weight [237] Cattle in generall are abundantly plentifull, especially Horses and Oxen; the greatness and fatness of the Oxen will Countervail the Difference of the price, being about 5 *lib sterling*. The Country is not altogether levell, as some other Countreys here, but hath casie

rysings, and Vallies. My new experience cannot give you such an accompt as you may afterwards expect, but in generall the Countrey may satisfie any rationall ingenuous mind; yet I find there be Novices who know no happiness save home. with a glass of Wine, and Comorads in a change House: tho there be no want here of more noble divertisements as hunting wild Beasts, wild Horses, and Deer: yesterday I did see several droves of Deer, and wild Horses, as I did ride up in the Countrey. The Land which we were viewing is a large plain, under the blew hills, watered with two or three little Rivers, about 8 or 9 miles from *New Perth*, four from *Rariton River* Northward; the land downwards is all taken up by the Quitrenters of *Piscataway*, *Woodbridge*, or *Elizabethtown*. There shall be nothing of care wanting in [238] your affairs, and I do expect the like from you; I hope my Grand Mother is in health,—wish her from me long life, and good health, and assure her she wronged the Countrey in her opinion: present my love to all my Friends.—I am Your

affectionate Brother

Robert Fullerton.

*A letter from John Forbes Brother to the Laird of Barula
Directed to Mr James Elphingston of Logie
Writer to His Majesties Signet in
Edinburgh, in Scotland*

*From Amboy-point, alias New Perth,
in the Province of East New Jersey,
in America March 18 1685.*

Honored Sir,

I having the occasion of this Bearer Mr *Drummond*, brother to *John Drummond* the Factor in *Edinburgh*, and who came Passenger with me to this place from *Scotland*, I could not omit my duty in acquainting you by [239] this line of our safe arrival into *America*; tho being by the Divine Hand of Providence miraculously preserved from the cruelty of the tempestuous Ocean, occasioned by a mighty storm of wind, (which happened upon the 12 day of September last) and which blew so tempestuously, that, in short, it carried first away our Boltsprit, and afterwards our whole three Masts, Flagstaff, and all by the board, before the Sailors were able to get them out: it likewise took away the awning above our quarter-deck and left not so much as an yard of a rope above our heads, all of which was done in the space of half an hour. We lay thus distressed like a pitiful Wreck all that night, (we having lost our Masts about 12 of the clock in the day) and two dayes

thereafter at the mercie of the Waves (which being like mountains occasioned by the great storm of wind) without hopes of recovery, being then above 200 leagues from this land of *America*, tossing to and fro expecting that each wave should overwhelm us: Yet at last it pleased God to turn the storm into a calm: and having preserved all our lower Yards, we made all haste and made Jury Masts of them; with the help whereof (tho very insufficient ones, to drive forward the bulk of so great a Vessel) and of [240] Gods miraculous Mercie and Providence, Who—immediately after we had put our ship in any mean posture for plying out her Voyage,—was pleased to send us such a fair and moderate gale of wind, as brought us in sight of the *Capes of Virginia*, within 15 dayes after, or thereabouts, having never ceased for the whole time till it brought us thither in safety. So we came within the Capes, and sailed up that great Navigable Bay, called *Chesapeik bay*, up through all *Virginia* up to Maryland, where we landed at the place where our ship was bound to take in her Tobacco, for her homeward Loading. But being thus Disabled, and not being able to ply out her Voyage to this place (where she ought to have landed us,) we was necessitated to travel from thence by Land to this place, being upwards of 200 *English* miles, and having left our Goods behind us, (which was thereafter to come about in a Sloup) we was necessitated to stay all Winter in this New and young Citie, where we had but very bad Accommodation for Lodging, tho we knew of no want of Victuals of all sorts for money, tho at a considerable dear rate. This hindered us long from our falling to work about our husbandries, which was a great loss of time to us; However, when our Sloup came about [241]—which did not hold the half of our goods, So that every man yet wants the half of his goods, But are dayly expecting them by the same Sloup which we freighted thither back again—I went out to the Woods to the Land we had pitched upon, with several others of our Countreymen such as *Tho: Gordon*, and *Mr. Char*: his Brother, Brothers to the Laird of *Straloch*, *Kinnabar's* two sons *Robert* and *Mr Thomas Fullerton*, *James Johnstone* of *Spotswood*, and *John Barclay* the Governours Brother, with some others; where we have all pitched near by one another, upon a piece of excellent land as we suppose; Whercof I judge I have not the worst (if not the absolute best) piece of land in all the Tract, for we had it all at our own choosing and not by lots. This land lyes not on a Navigable River, but about 5 or 6 miles from *Rariton* River, which is Navigable up the nearest place to our Plantations; For the best places of the Rivers are already inhabited by the old Planters of this Countrey who have been here some 16 or 18 years agoe. There are many places upon Navigable Rivers yet untaken, and some very near this place also, which is intended to be the *Metropolis* of this Province, But it is generally sandy barren land; and the best [242] land is computed by all to

be in the woods, back some several miles from the Navigable Rivers; So that we rather chuse land for profitableness, than for Conveniences of Towns and pleasure allenary; [entirely?] For there is abundance both of good and barren land in this Province, So that a man may chuse some for pleasure, and some for profit and Conveniency, for I intend to take up about 4 or 500 Acres where I have now settled: which is on a very pleasant place and good land, and whereof I have, with two hands (not having had time to get many Servants away with me, having come away upon so short advertisement, and whereof I lost one at *Maryland* by sickness: so that now I have but two, and a woman for dressing our Victuals and cloaths, till I get more sent me this year) already cleared, or at least will clear, and [have] in Corn this year about 8 or 10 Acres of ground; tho it was prettie thick of stately tall Timber; and that since the 26. of January, at which time I went to the woods. I have 1000 Acres to take up at this time, out of the first Division of 10,000 Acres, ordained to be laid out to every Proprietor: I having bought a 10th part, whereof my Brother is half sharer. I have also taken up 400 Acres of excellent fine land on [243] *Rariton* River, about 20 miles above *Amboy*, whereon I design to set servants, that I expect over this ensuing summer: and so to divide our said parcels, and improve them for a year or two to the best advantage, and then to sell them off, If I design to come home, which we can do at good profit. Now for a general description of this Country;—it is a fine place for those who have a good stock, to lay out upon a stock of Cattel of all sorts, which do greatly multiply here in a short time, and are sold at great rates, and may soon increase a stock greatly: or it is a good Country for an Industrious Frugall Man, that designs to follow Husbandries close-lie: providing he bring but some little stock to stock a Plantation with-all: or it is very good for Tradesmen, as good Carpenters, Smiths, Tailors, &c who will get large wages a day: But it is not a Country for idle sluggish People; or those who cannot sometimes put too their hands, and encourage their Servants. It is a place that produces many fine Fruits, and Physick Herbs; The Woods are stored with wild Deers, Conies, Wolves, Bears, Racouns, some Beavers, and several other Beasts, which have fine Furrs; and Fish, and Water Fowl for the killing. The Timber [244] are mostly Oak of all sorts, Walnut, Chesnut, whereof there are great abundance where I have planted, tho they be scarce so bigg as these that comes to *Scotland*, yet large and pleasant. Strawberries grow very thick upon the ground amongst the Trees, so that some places of the Woods are in Summer as it were covered with a red cloth, As I am certainly informed. Fruit Trees advance at a great rate in this place, for a Man may have an Orchard within a few years after the Planting, that may yeeld him a great quantitie of Cyder, which is the chiefest of their drink in this Province, even amongst the

meanest of the Planters. So that this Country if well improved, may make a fine place; for Nature has been deficient in nothing to it, either for pleasure or fruitfulness of the Soyl; So that a man being once settled two or three years in it, and having Corn, Cattle, and all things necessary for the use of man within himself, And the trouble and hardship of his first settling by his hand, He may live as comfortably here as in any place in the World: Providing he could dispence with the want of his Friends and Relations, and the satisfaction of their Companie, which is the loss I most regrett in this place. And thus having given you a short description of the place, I [245] cannot but in the next place, much regrett my misfortune, in not seeing you and taking your advise before I came to this place: But my Resolution was so sudden, by the encouragement I received from the Chief Governour, and some of the Proprietors at *Aberdeen*: (having come in onely to see my Sister with my Brother) and by the many Gentlemen that were going along in the ship, that I was induced to go along without so much as taking my leave of any of my Friends, save onely those that were then in Town: So that I came of resolution onely to see the place, and to settle onely if I found conveniency.—And having thus abruptly come away, when I came here, I designed not to return till I took some tryal of the Country, that at my return I might be the more able to give a true accompt thereof. I am not as yet of any determined resolution as to my staying for altogether, as yet, but I resolved to stay this year, till I see what the ground produces, and to see how my endeavours take effect; and God willing, by that time, I may in some measure be resolved what to do, for then the greatest hardship will be over my head; and by that time I will have up a prettie good house, which is near already framed, whereas hitherto I have dwelt for the most part here in a *Wigwam*: [246] (as we call them here) accounting all our hardship in the beginning but short, in expectation of good success in the end. But however I may be resolved hereafter, I intend, God willing, life and health serving, to come home or start within this year or two, and see all my Friends, and apologise the best manner I can for my abrupt departure. Now having thus in some measure discharged a part of my dutyfull respects towards you by this line, in letting you know of my wellfare and present condition; Earnestly desiring ye will favour me with a return by the first occasion; wherein I shall be glad to hear of your wellfare, of your kind Ladies and Children (To whom and others my nearest Friends and Relations, and Comerads, I desire the favour to be Kindly remembered), begging pardon for [this trouble, and your patience to peruse this, when your leasure can permit: and afterwards to communicate it to my Uncle, *Calder-hall* and his Lady, or to my Cousins *Harrie Lockhart*, or *George Erskine*, if they call for it: I not having time at present to write to them at length, as I have in haste

done to you. I shall forbear to give you further trouble at present; intreating you to remember me kindly to your Worthy and oblidging [247] Lady, and fine Children, and shall only subscribe myself, as I sincerely am, and shall continue, Sir, Your most affectionate Cusin
and oblidged Servant, while

John Forbes.

A Letter from Thomas [Robert?] Fullerton, to his Brother the Laird of Kinnaber, dated from his new possession, in the plains of new Cæsarea: January 7 1685.

Dear Brother,

You have, above, a transcript, containing the principal Contents of an abrupt Letter, sent you three or four days after our arrivall: since that time we have possessed our Selves in the above mentioned plain 11 miles from *New Perth*, four from *Rariton* Northward, and 12 from *Elizabeth-Town*; we have the honour to be the first Inland planters in this part of *America*, for the former Settlements have been by the *Riversides*, which are all possessed [248] by the *Quit-renters*; the which I would have grudged at, had I not found the goodness of the Land upwards will countervail the trouble of transportation to the water. As to the number and nature of these *Quit-renters*, they are about 2 or 300 Families, some civill and Discreet, others rude and Malcontent with the late Purchassers, and need some thing of austerity to make them Complaisant. We have at present sharp frosts, and a good deal of Snow, three dayes of vitrifying frosts this winter, had not its match for cold these 16 years by gone, as the Inhabitants do inform us. Against this extream, we have a good Defence of Fire, and telling of Trees, and might live warm enough, were we not forced to travell for recruit of Provisions. I reckon the winter to consist only of nights, for the *Suns* appearance by day moderateth the cold, and melts the Frost: I do not find the cold here to cause obstructions or coughs; the Air is ever transparent. We have singular good stomachs, which if it continue as they say, it will require a fertile Countrey when peopled. [249] I cannot find it necessary to give any particular account of this Countrey with its product, because ye have had already many, and some very ingenuous of this nature; besides I have not yet proof of all the *seasons* of the *year*. We have the Deer to walk the round nightly about our Lodge; this morning I shot a large Hart, and followed his bloody tract in the snow above two miles before he dyed; I believe the fattest Deer in the world are here. We have made choise of your land next adjacent to mine, and have placed your Servants there, where

they will settle if we find convenient, when the snow is away: this is all at present from,

Your affectionate Brother

Robert Fullerton.

Another Letter from the same hand, dated the 10 of March 1685.

Dear Brother

Before the despatch of the above written, of the date of this Instant, so that they may both go [250] together; the Winter is now past, and we are providing ground for the seed, the Fields being bare, we can better distinguish where is good land. We have chosen our chief Plantation and yours two miles further up in the Countrey, close under the blew Mountains, where you may reckon you have an Estate of 40 Chalders of Victual, with no more Wood thereon than yourself would desire, and it might yeeld no less yearly, presently, if it were all plenished after a little pains to root out the brush; that which wanteth Wood is open plain with short bushes, which we cut at the roots with a how. I wish the adjacent bounds were purchased, and possessed by our friends, who have any design this way; for it is excellent land; the mould in the Province in Generall, is either like that I possessed at the *Northwater*, or more marly or clay; but all of it hath 3. 4. or five inches of black rotten mould uppermost. I have not much more to trouble you with, but my respects and love to all Friends; if my Uncle or any other Friends send their Sons here, let them advert to this Maxim, *A Gentleman* [251] *that is not to work himself, must be well provided with a stock,* and this must be more or less as he designs his Estate. I question not your care in my affairs; neither need you question in your concerns the care of

Your affectionate Brother

Robert Fullerton.

Abstract of a letter from Charles Gordon (Brother to the Laird of Straloch) to Doctor John Gordon, Doctor of Medicine at Montrose, dated at

Woodbridge, in East Jersey, 7 of March 1685.

Dear Brother,

I Design 100 pound Sterling for goods and servants; if Tradesmen and Servants knew they were better used here than in any Neighbouring Collonie, and that after their time is expired, they may gain a stock

by their work, and live like some of your Lairds before they dye, they would not so much scruple to come hither. There are a number of queries proposed by our Brother [251] *Thomas* to the Fullertons, which I remember you desired me to answer; the most materiall of them are answered, by this and my former Letters; I shall therefore superceed any long discription of it, till I see it throw all the seasons of the year; in short, I see it pleasant, and furnished with all conveniencies of Nature, such as woods, grass meadow, plenty of Fresh Springs, Creeks, and Rivers; I find it wholesome for I am not (blessed be God) troubled here with Defluction, head-akes, and coughs as at *Edinburgh*, which is a great inducement for me or any valitudinary man to stay in this Country; People come from *Barbadoes*, to *York*, and hither, for their healths sake.—If you design to come hither yourself, you may come as a Planter, or a *Merchant*, but as a *Doctor of Medicine* I cannot advise you; for I can hear of no diseases here to cure but some Agues, and some cutted legs and fingers, and there are no want of *Empericks* for these already; I confess you could doe more than any yet in *America*, being versed both in *Chirurgery* and *Pharmacie*; for here are abundance of [253] curious Herbs, Shrubs, and Trees, and no doubt *Medicinall* ones for making of drugs, but there is little or no Employment this way. Your Servants are settled on a pleasant plain beside the *Fullertons* on a brook; called *The Vine or Cedar Brook*, from a swamp of *Cedars* from whence it springs, and the multiplicity of vines which grow upon it. All your friends and Country men here are in good health, blessed be God: This hath been the hardest Winter that was almost since ever there were *English* here; The sound betwixt *Jersey* and *Staten Island* was frozen in *January* that carts and horses went upon it; betwixt *Martenmas* and *Christmas* flying showers of snow with clear moderate frosts; in *January* deep snow and most bitter frosts which ever I found, but did no wayes affect peoples bodies; the Air being ordinary clear and serene; about the 20 of *January*, the snow went off insensibly, and about 3 weeks in *February* it was almost like Summer in *Scotland*; the end of *February* and beginning of *March* for the most part rain and wind. Acquaint me with the value of sweet-sent-[254] Gum, which flowes from the wood, Gum-trees, of *Sassafras*, *Sassaparilla*, and such other things as the Country naturally produceth. Be pleased to send me some Medecins for Agues, and accidentall cutts, or sores, in case myself or Servants be overtaken with them. I hope with the blessing of God here to make a livelihood for myself. I intreat to hear what remarkable news, and revolutions are either at home with you, or abroad, and so continues

Your most affectionate brother
and humble Servant,

Charles Gordon.

A LETTER from *Thomas Gordon*, Brother to the Laird of *Straloch*.
For Mr. *George Alexander*, Advocate in *Edinburgh*.

From the *Cedar Brook* of *East New Jersey*,
in *America*, the 16 *February* 1685.

Dear Mr. George. This is the fifth time I have written to you since I came to *America*, some of which I am confident have [255] come safe to your hands: so that I need not now resume them, for in them I gave you a full account of our danger by Sea, and travels by Land, and therefore I shall now proceed and begin where I left last. Upon the eighteenth day of *November* I and my Servants came here to the Woods, and 8 dayes thereafter my Wife and Children came also; I put up a Wigwam in 24 hours, which served us till we put up a better house; which I made 24 foot long, and 15 foot wide, containing a Hall and Kitchen both in one, and a Chamber and a Study, which we put up pretty well (with Pallissadoes on the sides, and Shingles on the roof) against *Yuill*, on which day we entered home to it; and have been ever since, and still am clearing ground and making fencing: So that I hope to have as much ground, cleared, fenced, ploughed, and planted with *Indian Corn* in the beginning of *May*, (which is the best time for planting it) as will maintain my Family the next year, if it please God to prosper it. *Robert Fullerton* and I are to joyn for a Plough this Spring, consisting of 4 Oxen and two Horses, but if the Ground were once broken up, two Oxen and two Horses, or 4 oxen alone will serve; so that the next Spring I intend (God willing) [256] to have a Plough of my own alone. I intend to build a better House and larger, and to make a kitchen of this I am in; which I will hardly get done this Summer, because I resolve to build upon my lot at *New Perth*. I am settled here in a very pleasant place, upon the side of a brave plain (almost free of woods) and near the water side, so that I might yoke a Plough where I please, were it not for want of Hay to maintain the Cattle, which I hope to get helped the next year, for I have several pieces of Meadow near me. The first Snow we had was about the midst of *November*, and went twice away again, and about the end of the Month it came on, and continued with very great Frost and knee deep Snow till towards the end of *January*; and then the Snow dissolved pleasantly and calmly with the heat and influence of the Sun, and now I judge it as warm here as it will be with you in *May*, and much more pleasant, for we are not by far so much troubled with winds here, as ye are in *Scotland*; the winter was generally very pleasant and calm, altho sometimes very vehement frost. I have spoken with several old Inhabitants here, who assure me they had not seen so hard a winter as this has been these 16 years bygone; and truly [257] if I never see much worse I shall be very well pleased with this Countrie. We have great abundance of

Deer, Turkies, &c. here about us; and as for the wild Beasts, and Natives, (whereof I was greatly affrayed before I came here,) I find no danger, trouble, [or] inconveniency thereby at all: there are abundance of all sorts of Cattle in this Countrey to be had at very reasonable rates, I can buy a good Cow for 4 *lib. ster.*, a good Ox for 5 *lib. ster.*, and a good Horse for 5 or 6 *lib. ster.*: a Hog for 20s *ster.*: a Bushell of Wheat for 4s. *ster.*: of Rye 3s. 6d. *ster.* There are 8 of us settled here within half a mile or a mile of another, and about ten miles from the Town of *New Perth*, or *Amboy-point*, so that I can go and come in a day, either on foot or horseback, viz.: *Robert* and *James Fullerton*, *James Johnstone* of *Spotswood*, *John Forbes*, *John Barclay*, Doctor *John Gordon* his Servants, *Andrew Alexander*, and myself. This is the most of what I can say of this Countrey at present, for I intend to write nothing but what I either see or know to be certainly true, and for my part I am very well pleased with this retired Countrey life; and I love this Countrey very well as yet, altho I hear [258] of some of our Countrey men who are not; neither can it be expected, that any Countrey in the World will please the different humours of all Persons. Blessed be God, myself and Wife, and Children, and Servants have been and are still in good health, which God continue: be pleased to communicate this to both yours and my Friends and Acquaintances, because I have not leasure to write at great length to every one; and let those remember me to all others that give themselves the trouble to inquire for

Your most humble and and
oblidged Servant,

Thomas Gordon.

A Letter from David Mudie, of the date of the former, to Mr. Alexander Gairns, one of the Ministers at Edinburgh.

Sir, I did write to you a line upon my arrival here; and my last the 12 of *December*, directed to *John Graham*; I desired him to let you see his letter, and my wifes, which would inform you [259] as fully as [if] I had written to you. Since that time I have travelled throw the Countrey, and informed myself of the conditions thereof, which still does the better please me: the winter hath been exceeding hard, and sharp, which hath much hindered me of work; yet I have cleared three acres of ground, to be an Orchard and a Garden, which lyes at the back of my house, which I am building of stone, six good rooms off a floor, Sellers all under the ground, two stories high, and garrets, at which I have had Masons since the first of *February*; and I hope will have it fully Finished this Summer, I have also built a horse-mill: The house is

32 foot wide, 40 foot long, the great wheel 30 foot Diameter, which I will have fully finished against the latter end of this Month; it is told me she may be worth 100 pound Sterling a year; I am sure she will be better than 50 clear money: this from, Sir

Your humble and obedient Servant,
David Mudie.

[260] A Letter from *Thomas Fullerton*, Brother to the Laird of Kinnaber, to *John Johnstone*, Drugist, in *Edinburgh*, dated the 9 of *March*, 1685, from East Jersey.

Loving Commorad,—Your Brother and I did write to you about three Moneths agoe, wherein we told you, that we were 9 weeks at sea, after we parted from *Kellebegs*, in *Ireland*; we were all very well at Sea only we had more Stomachs than meat; to prevent which, if you or any other Commorad come this way, it will be prudence to fortifie themselves with good Cheese, Butter, Bisket, Cakes and Brandie; I believe you are cloyed with descriptions of the Countrey: And therefore this in brief, the reports you hear of it are generally true, some it may be are Hyperbolick in magnifying its Goodness, but as many are detractive from what it really deserves. There is abundance of good Land for improving; abundance of Swine and Cattle for the raising; Deers for killing; houses for the building; But some expect all [261] these without pains. Your brother and I and our Servants, have had good Venison broth once a day all this winter; to be short, if a man please to live a Countrey Life to labour Land, plant Orchards, and such like; I believe he cannot come to a place that will better answer his expectations, and when he hath a minde to be merry he will get a Punch-house, and very good fellows. I hope in a little time I shall want nothing but the company of the prettie Girls, to all whom, who retain any remembrance of me, Let my service be remembered, and to all friends. I long exceedingly to hear from you, but more to see you: we had many difficulties at our entrance, and in our first indeavours, But when you come, I hope they shall be prevented by

Your affectionate Commorad
Thomas Fullerton.

[262] *A Letter from James Johnstone of Spotswood, to Alexander Henderson writer in Edinburgh, dated the 9 of March, 1685, from his Plantation at the blew Hills in East Jersey in America.*

Kind Commorad, These are to present my best wishes to you, and all acquaintances, if any injoyment could make up the want of your Company, I should not complain here ; what else can contribute to profite or pleasure, being here to be had: neither is there any thing here to discourage us, *Quakers* are not numerous: Wolves are so far from troubling men, that if a man should lay a Glove upon a Carcass or their prey, they will yell, but not come nigh it. You cannot come nigh a rattle-Snake, but they will rattle with their taile, whereby a man is advertised either to kill them, or go by them ; they frequently charm the Squirrels, or other little Beasts off the tops of the Trees unto their mouth, and that without touching them with their teeth ; which if they did, they would [263] poison themselves. There is a Flee by the Salt Marshes most troublesome in Summer, but is not in the *up-lands*. I am mightily well satisfied with my coming over, neither do I think I could live again in *Scotland*. In the Summer there is plenty of Fruits, Peaches, Walnuts, Chesnuts, Strawberries, and another berry like Currants ; Vines as good as any where. I and all who have come over, have kept our health very well ; our food hath for the most part been Venison we got from the *Indians*, which I like exceeding well. The *Indian* Corn, *Indian* Beans, and Pease, are pleasant Grains: we have very good fishing. Present my service to all Friends, and believe me to be ever Sir,

Your obliged Servant,
James Johnstone.

Sir, I nothing question but by the perusal of the above written Letters, you are abundantly satisfied, that *East Jersey* as to all things necessary will accommodate our present design. But if some (*Malero-lent Persons*) who because [264] they have not the courage nor resolution to adventure upon such an undertaking themselves, do cavill at the design in others, may insinuate that the greatest part of these Letters being written by Gentlemen, it may be presumed, interest may oblige them to represent things otherwise than they are, to the advantage of the place. This is easily answered, that there are severall persons in this Town, who have perused all their Letters, and declare they find nothing contained therein, that they can contradict. But as for a further proof

thereof, I have thought fit to conclude with a letter from a Mason, sent over as a Servant, by Captain *Hamilton*; he being a plain Countryman, it is not very probable he can have any design. I had the Letters from his said Master, as followeth.

[265] *A Letter from James Cockburn Mason, Servitor in East Jersey in America, to Captain Hamilton, at the Ship tavern in Edinburgh, dated the 12 of March 1685, to his Uncle James Brown, Shoe Maker in Kelso.—*

Uncle this few Lines do testifie that I am well and in good health, blessed be God for it, desiring to hear the like from you, for I am very well in this land of *America*. We lake neither wild nor tame to eat: the most part of our drink is *Rumm*, *Cyder*, and Beer; such as have these to sell, drives a very good Trade. I am working at my work daily, in good weather, and have very good encouragement among the old Planters. If my Sister *Katharin* inclines to come over, she may have good service here, and *Francie* also; it is better to be bound some few years, than come free, except they have a good stock; it is dear living here the first year or two. The *Indians* are a harmless People and very kind to us; they are not a hairie People as was said to us in *Scotland*. A Shoemaker would live very well here, if he bring any store of Leather with him; the Shoes are five or six shillings a pair: there is nothing discourages us more than want of Ministers [266] here, but now they have agreed about their Stipends; there is one to be placed in *New Perth*, *Piscattaway*, *Woodbridge*, and *Elizabeth Town*; they have a mind to bring them from *Scotland*. Uncle I hope you will let me know of your welfare, and how the Town is repaired again, and so I rest your *Nephew* until death

John Cockburn.

Another from the same hand to George Fal Mason in Kelso, from New Perth in America the 20 of March 1685.

Cusin, These are to show you that I am in good health, blessed be God for it, wishing to hear the like from you. We had a long Voyage, but we came very well to our Harbour in this place of *America*, within a stone east of my Masters Lott: it is upon the very Harbour. This Town is scituate betwixt two great Rivers, the one called *Rariton*, the other *Hudsons*. It is a very pleasant Country and good for all Tradsmen; you was angry with me for coming away, but I repent nothing of it myself, for I have abundance of Employment. I am at the

building of a great Stone house in *New Perth*, with another *Scotsman*. They build most with [267] Timber, but are beginning to build with stone: there is a good stone in this Countrey as in *Scotland*, if they were at the pains to find it out: there are not many of our Trade in the Province. Any who hath a mind to come here will get good wages; these who have a mind to come here will do far better than in *Scotland*. I have no more desire to my *Native Countrey* than I had never been in it; they had better be bound some years with a good Master, than come over free, for it is dear living at first here. The Natives of this land are a harmless People, they do wrong to no man; they are very kind to us; tell my sister if she pleases to come over, she may have good service here: Remember me to all Friends, and Comorads in *Kelso*, and so I rest your *Cusin*, while I live,

John Cockburn.

A Brief ADVERTISEMENT *Concerning* East New Jersey, in AMERICA.

That whereas it hath upon solid grounds been by very Judicious Men, judged as well the advantage of the Nation in generall, as of the particular Undertakers, to have an interest in some [268] of the *America* Plantations: and that in order to the Promoting this Design, There went in *July* last 1684 a Vessel from *Leith*, with 160 *Passengers*, or thereby, another from *Montrose* with 130, to *East Jersey*, in which two Vessels were some Gentlemen and Merchants of very good Repute; the account of their safe Arrivall in eight weeks after their parting from *Aberdeen*, and their several opinions of that Countrey, all agreeing anent the Fertility, pleasantness, and Wholesomeness thereof, as being stored with all things necessary for the comfortable Accommodation and Life of Man, being compared with former Relations of that Countrey, and both confirmed as Truth, by several Gentlemen Merchants at present in *Edinburgh*, who have been there: The consideration of this, [as well] as of the reasonable constitution of the Government, the Model whereof hath been fully perused and found satisfactory, hath ingaged many to pitch upon this Province of *East New Jersey*, as the most proper seat for a Collony of this Nation: The same being a Climate agreeable to our Constitutions, [269] and a place fit for Trade, and of great Security, being as it were, the Centre of the English Plantations, and a place affording in plenty, all desirable Accommodations.

And seeing the Approbation of those in Authority is absolutelie requisite, for countenancing and encouraging such a Design, without

which, it cannot be expected that any such Attempt can be made effectual; Mr. *George Scot* of *Pitlochie*, resolving to settle his Family in that place, hath procured the following Passe.

By the Right Honourable Earl
of *Perth* Lord High
Chancellor of
Scotland &c.

These are Permitting and allowing Mr. *George Scot* of *Pitlochie*, with his Lady, Children, and Family; and such other Persons as he shall ingage, to pass from this Kingdom, either by Sea or Land, to any of His *Majesties* Forreign Plantations, providing such persons to be transported by him, be not declared Traitors, Rebels, Fugitives, and that without any Let Impediment, or [270] Molestation, from any person whatsoever: they alwayes behaving themselves peaceably and according to Law. Given at *Edinburgh* the first of *January* 1685.

For all Magistrates, Officers, and Souldiers within the Kingdom of *Scotland*, whom these do or may concern.

PERTH, Cancell.

By the perusall of the foresaid Passe it will appear that such who intend to be concerned with the said Mr. *George Scot*, in prosecuting this Design, are hereby included as well as himself, they being qualified according to the contents hereof.

And for his further encouragement, the Lords of His *Majesties* Privy Council have been pleased by an Act, to condescend That such as are under Bond, to appear before them when called, shall have up their said respective Bonds, upon their going with him; Whereby they are secured from the Apprehension of any Process to be in their absence, intended against them upon that head,

Whereas there are several people in this Kingdom, who upon account of their not going [271] that length in conformity required of them by the Law, do live very uneasy; Who beside the other agreeable Accommodations of that place many there freely enjoy their own principles, without hazard or the least trouble: seeing there are Ministers of their own persuasion going along with the said Mr. *George Scot*; who by the fundamental Constitutions of that Country. are allowed the free Exercise of their Ministry, such as Mr *Archibald Riddel* brother to Sir *John Riddel* of *Riddel*, Mr *Thomas Patterson* late Minister of *Borthwick*, and several other Ministers; It is hereby signified to all who desire this Voyage, That the *Henry* and *Francis* of *Newcastle*, a Ship of 350 Tun, and 20 great Guns, *Richard Hutton* Master, is freighted for the Transportation of these Families, and will take in Passengers and Goods at *Lieth*, and Passengers at *Montrose*, and *Aberdeen*, and *Kirkcra* in *Orkney*, and set sail thence for *East-New-Jersey*, against the 20 day

of *July*, God willing. It being resolved by these concerned in the freight of the Vessel, to Accommodate such Passengers as may conveniently [be] done, without crouding themselves, and their Families; the inconveniencies of which they are fully resolved to avoid, as what is [272] certainly very troublesome in such a Voyage. Such therefore who desire to go Passengers in this Vessel, may apply in time, between [this] and the 12. of *May*, to Mr *George Scot* of *Pitlochie*, at his Lodging in *Baillie Robisons land*, and at *John Johnstone*, Drugist at the sign of the *Unicorn* in *Edinburgh*, to Mr *John Gordon* of *Colinston* Doctor of Physick, at his Lodging in *Montrose*: to *James Armour*, younger, Merchant in *Glasgow*: To *Henry Brown*, or *James Nisbet* Merchant in *Irvine*: To *Baillie Boyd* in *Kilmarnock*; To *Bailly McKeuen*: or *Ralph Holland* Merchant in *Air*: To *Bailly Burt* in *Stirling*: To *Bailly James Gordon* in *Kirkcudbright*: *William Corbet* Apothecary in *Dumfries*: *Henry Elphingston* Collector of His Majesties *Customes* in *Aberdeen*: whereby they may have their passage secured upon Reasonable Conditions in the said Vessel; And accounts of the Propositions to be made to them, in Order to the promoting effectually of that design; seeing after the number condescended upon, as to be carried without Croud in the said Ship, there will be no more admitted there: and so such as incline to go the Voyage, may lose their passage in the said Vessel, delaying to secure their place in time.

FINIS.



I N D E X .

* * * THE orthography of the same names varies materially in the different works and documents referred to in the foregoing pages; in some cases the variation being so great as to lead to the supposition that different individuals are alluded to. As examples, *Lawrence Anderson* is sometimes called "Andros" or "Andruss;"—in the 'Grants and Concessions' the name of the member of Assembly from Newark is given as *Samuel Swarne*, but in the Town Records he is called "Swain," which is probably correct;—*Bowne* and "Bound" are frequently confounded; and other instances might be given. The author has endeavoured to observe uniformity in every instance, and adopted what appeared to be the proper orthography.

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