

# THE CONCESSIONS AND AGREEMENTS

## Of the Proprietors of East New Jersey

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**T**he CONCESSIONS and Agreement of the Lords Proprietors of the Province of New Cesarea or New Jersey to and with all and every the Adventurers and all such as shall settle or plant there.

**I**MPRIMIS wee doe consent and agree That the Governor of the said Province hath Power by the advice of his Councill to Depute one in his place and Authority in case of death or removall, To continue untill our further order unless wee have Com'issionated one before.

**I**TEM that he hath (likewise) power to make choice of and to take to him six Councillors at least, or twelve at most, or any even number between six and twelve with whose advice and consent, or with at least three of the six, or foure of a greater number (all being sum'oned) hee is to governe according to the limitac'ons and instructions following during our pleasure.

**I**TEM that a Cheife Secretary or Register which wee have chosen or shall choose (wee failing that hee shall chuse) shall keep exact entries in faire bookes of all publique affaires, And to avoid deceipts and Law Suites shall record and enter All graunts of Land from the Lords to the Planters, and all Conveyances of Land house or houses from man to man As alsoe all Leases for Land house or houses made or to be made by the Landlord to any Tenant for more than one yeare, Which Conveyance or Lease shall be first acknowledged by the Grantor or Lessor, or proved by the Oath of two witnesses to the Lease or Conveyance before the Governor or some cheife Judge of a Court for the time being, who shall under his hand upon the backside of the said Deed or Lease Attest the acknowledgment or proove as aforesaid which shalbe a Warrant for the Register to record the same, which Conveyance or Lease soe recorded shalbe good and effectual in Law notwithstanding any other Conveyance Deed or Lease for the said Land house or houses or for any part thereof, although dated before the Conveyance Deed or Deeds or Lease soe Recorded as aforesaid. And the said Register shall doe all other thing or things that wee by our instrucc'ons shall direct, and the Governor Councill and assembly shall ordeine for the good and welfare of the said Province.

**I**TEM That the Surveyor Generall that wee have chosen or shall choose (wee failing that the Governor shall chose) shall have power by himselfe or Deputy to Survey lay our and bound all such Lands as shall be graunted from the Lords to the Planters, and all other Land within the said Province which may concerne particular men as hee shalbe desired to doe, And a perticular thereof Certifie to the Register to be recorded as aforesaid. Provided that if the said Register and Surveyor or either of them shall misbehave themselves as that the Governor and Councill or Deputie Governor and Councill or the

major part of them shall find it reasonable to suspend their Actings in their respective employments it shall be lawfull for them soe to doe, untill further order from us.

**I**TEM That the Governor Councillors Assembly men Secretary Surveyor and all other Officers of Trust shall sweare or subscribe (in a book to bee provided for that purpose ) That they will beare true Allegiance to the King of England his heires and successors and that they will be faithfull to the interest of the Lords Propriaters of the said Province and their heires executors and assignes And endeavor the peace and welfare of the said Province And that they will truely and faithfully discharge their respective [trusts in their respective] Offices, and doe equall Justice to all men according to their best skill and Judgment without corrupcon favour or affeccion And the names of all that have sworne or subscribed to be entred in a Booke And whosoever shall subscribe and not sweare, and shall violate his promise in that subscripcon shall be liable to the same punishment that the persons are or may bee that have sworne and broken their Oathes.

**I**TEM That all persons that are or shall become subjects to the King of England and sweare or subscribe Allegiance to the King and faithfulness to the Lords shalbe admitted to Plant and become ffreeman of the said Province and enjoy the ffreedomes and Im'unities hereafter expressed untill some stopp or contradiction bee made by us the Lords or else the Governor Councill and Assemblie, which shalbe in force untill the Lords see cause to the contrary, Provided that such stopp shall not any way prejudice the right or continuance of any person that hath been received before such stopp or order come from the Lords or generall Assemblie.

**I**TEM That noe person qualified as aforesaid within the said Province at any time shalbe any waies molested punished disquieted or called in Question for any difference in opinion or practice in matters of Religious concernements, who doe not actually disturbe the civill peace of the said Province, but that all and every such person and persons may from time to time and at all times truly and fully have and enjoy his and their Judgments and Conciences in matters of Religion throughout all the said Province: They behaveing themselves peaceably and quietly and not using this liberty to Licentiousnes, nor to the civill injury or outward disturbance of others, any Law Statute or clause conteyned or to be conteined usage or custome of this Realme of England to the contrary thereof in any wise notwithstanding.

**I**TEM That no pretence may be taken by us our heires or assignes for or by reason of our right of Patronage and power of Advowsen graunted by his Ma[ties} Letters Patents unto his Royall Highnes James Duke of Yorke, and by his said Royall Highnes unto us, thereby to infringe the generall clause of Libertie of Conscience aforement'oned WEE doe hereby graunt unto the Generall assembly of the said Province power by Act to Constitute and appoint such and soe many Ministers or Preachers as they shall think fitt, and to establish their maintenance, Giving liberty besides to any person or persons to keep and maintaine what Preachers or Ministers they please.

**I**TEM That the inhabitants being ffreemen or cheife Agents to others of the Province aforesaid doe as soone as this our Com'ission shall arrive by Virtue of a writt in our names by the Governor to be for the present (untill our Seale comes) sealed and signed

make choice of Twelve Deputies or Representatives from amongst themselves who being chosen are to joine with the said Governor and Councill for the makeing of such Lawes Ordinances and Constitutions as shalbe necessary for the present good and welfare of the said Province, But so soone as Parishes Divisions Tribes or other distinctions are made That then the Inhabitants or ffreeholders of the severall and respective Parishes Tribes Devisions and distinctions aforesaid doe (by our writts under our seale which wee engage shall be in due time be issued) Annually meet on the first day of January and choose ffreeholders for each respective division Tribe or Parish to be the Deputies or Representatives of the same Which body of representatives or the major part of them shall with the Governor and Councill aforesaid bee the generall Assembly of the said Province, the Governor or his Deputy being present unless they shall wilfullee refuse, in which case they may appoint themselves a President dureing the absence of the Governor or his Deputy Governor.

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