

THE  
GRANTS, CONCESSIONS,  
AND  
ORIGINAL CONSTITUTIONS  
OF THE PROVINCE OF  
**NEW JERSEY**  
THE  
A C T S

Passed during the Proprietary Governments, and other  
material Transactions before the Surrender  
thereof to Queen Anne.

The Instrument of Surrender, and her formal Accept-  
ance thereof

Lord CORNBURY'S COMMISSION and Instructions Conse-  
quent thereon,

Collected by some Gentlemen employed by the General Assembly.  
And afterwards

Published by virtue of an Act of the Legislature of the said Province  
With proper Tables alphabetically Digested, containing the prin-  
cipal Matters in the Book.

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By AARON LEAMING and JACOB SPICER.

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PHILADELPHIA:

Printed by W. BRADFORD, Printer to the King's Most Excellent  
Majesty for the Province of New Jersey.

## NOTE TO SECOND EDITION.

THE original edition of this volume of GRANTS AND CONCESSIONS was printed by William Bradford, of Philadelphia, as the imprint states ; but the exact year is unknown. Griffith, in his *Law Register*, vol. iv., states that it was "about 1751 or 1752," which is, perhaps, as nearly correct as can now be ascertained. It is the second, in order, of the compilations of the laws of New Jersey—the first being *Kinsey's Acts*, of 1732.

In reprinting the original GRANTS AND CONCESSIONS, copies of which have become scarce, we have endeavored to make the work an exact duplicate of the Bradford edition in the paging, spelling and punctuation. In a few instances, errors clearly typographical, as misplacement of letters, have been corrected ; but the unique and inconsonant spelling, and the equally curious punctuation, have been, as a rule, strictly maintained. The only perceptible difference is in capitalization and italicizing. It was thought unnecessary and unwise to follow the original in these respects, because of the greater difficulty in reading the text, and because no one, in any printed quotations from such old works, at this day, would retain those particular typographical oddities.

It is true the original edition had, as is believed, some slight errors in it, which were the fault of the transcribers from the English or Colonial records, or of the printer, or both ; but these we have not undertaken to correct, inasmuch as only a comparison of every word with the ancient documents themselves (could they be found) would enable one to discover wherein the 1752 edition was at fault. This no person is likely ever to undertake : and the utmost that will be expected of the present publishers is, that this edition shall conform to that of 1752.

HONEYMAN & COMPANY.

SOMERVILLE, N. J., July, 1881.

## P R E F A C E .

IN the Sixteenth Century, it being the prevailing emulation of some of the princes of Christendom to extend their dominions, commerce, wealth and power, beyond the limits of Europe, and the discovery of America having opened a new world for the exercise of their truly glorious ambition; the great successes of the House of Austria on this side the Atlantick, and the prodigious wealth they had drawn from their colonies, could not fail of pointing out a seat of future wealth and grandeur to such an enterprizing aspiring people as the Brittons then were; but however national this system might be, the authority of a limited government, aided by the example of a few individuals, we conceive would scarcely have been sufficient to prevail on a competent number of people to shake off that common attachment inherent in every one to the place of his nativity, and dare an untrod ocean in search of a country they had only heard of but never seen: It was therefore necessary to cultivate such a spirit among the common people as should ripen them for this undertaking: In order to which, King CHARLES the Second, in 1663 granted the soil and government of New Jersey to the Duke of York, who afterwards transferred the same to other Proprietors, and they were wise and happy enough to hit upon that system which of all others is the most worthy pursuit of a rational being, namely, the security of the religion, liberties, and properties of the adventurers and their latest posterity, which in all probability were some of the chief motives that prevailed on the people to settle and transform New Jersey, with such great rapidity, from a savage wilderness to a Christian civilized country, as may be gathered from the popular plans of government contained in the following sheets. Civil and religious freedom and security being not only essential for the speedy settlement of a colony, but also for the happy government thereof; because the prince by his kingly office not only protects the subject in the enjoyment of their just liberties, but they in like manner defend him from foreign injury, which creates a mutual dependance on each other, accompanied with sincere affection, and tempered with virtue and morality, the social blessings of human life, and while this necessary connection exists, the frame of government is inviolably preserved; break but the chain and the whole frame is dissolved, which is verified in those unconstitutional revolutions and unnatural massacres which happen at the courts of arbitrary princes, whose despotic power usurps the people's privilegès, and they in their desperate struggles dethrone the tyrant.

A czar of Muscovy by force of absolute power might build a city or plant a country; but is he equally secure in the government, or his subjects in the enjoyment of their lives or estates, as the prince or inhabitants of those kingdoms where liberty prevails, and the prerogative of the prince, and the privilege of the people are

## P R E F A C E .

mutually connected by an indissolvable chain, and if actually dependent on each other, then Liberty, the great Legament, may raise a kingdom, and the loss of it ruin the finest constitution on earth; which we presume is fully verified by the destruction of those free states and common wealths where corruption hath undermined, and arbitrary power totally subverted the liberty of the people, leaving them no other monuments than their ancient grandeur and inglorious fall.

Under the popular plans of freedom to be found in this volumn, established by the Proprietors, New Jersey became worthy the attention of that QUEEN who then held the balance of power in Europe, and to whose care this government was finally committed by the Proprietors in 1702, but as those plans have never been embodied in a printed collection, and were only to be found in a few hands, tho' in part incorporated in the essence of our Constitution, the Assembly about the year 1750, gave orders to certain gentlemen for collating the manuscripts, and afterwards by law impowered us to commit them to the press; but if our present system of government should not be judged so equal to the natural rights of a reasonable creature, as the one that raised us to the dignity of a colony, let it serve as a caution to guard the cause of liberty.

As we were not impowered to digest, or amend what might need alteration, the candid reader we hope will not impute it to us if any thing in this work should appear unnecessary.

We were not directed to make any table to the book, but as it appeared convenient that one should be made to give the reader a more easy and concise view of the contents, we have therefore attempted it, tho' not without some embarrassment, greatly owing to the different modes by which the Province was governed: For in the first place John Lord Berkeley and Sir George Carteret entered into a form of government with the adventurer and planters for the whole Province, while they held the same as tenants in common with each other; and after the division thereof, the under Proprietors entered into two other forms of government, one for the Eastern, and the other for the Western Division; so that in fact there was three plans of government not exactly similar to each other, which rendered it difficult to frame a consistent table for the whole, and therefore we divided the same into three parts, the first of which contains a table for the whole Province before divided, including the reunion thereof, the second contains a table for East Jersey, and the third a table for West Jersey while the same remained divided, so that any thing contained in the book respecting the Province in general, or either of the divisions in particular, may be found under their respective heads to which we may refer the reader.

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