AN INDEX

OF ALL THE

Principal Matters contained in such Parts of this Book, as relate to New Jersey, before the Division thereof. As also after the Surrender, when East and West Jersey became Re-united under the Crown, Alphabetically digested with proper references.

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2. That the exercise of the administration of government be in the Governor, or his Deputy and Council, who were to rule according to the laws of England and those of the Province ibid.

3. That the Representatives be chosen on the first Tuesday in January annually, and with the Governor or Deputy Governor and Council, compose the General Assembly to sit yearly at Perth Amboy ibid.

4. That all bills past by the Representatives, and assented to by the Governor or Deputy Governor and Council, be laws until repealed or expired 369

5. That the Assembly have power to make laws and constitutions (not repugnant to the laws of England nor the act of right) and the same to repeal at discretion ibid.

6. That the publick records be kept at Perth Amboy, and the Register make exact entries therein of all publick affairs, grants, patents and other deeds or conveyances of land, which deeds if belonging to persons inhabiting in this Province, to be recorded in six months after execution, being first acknowledged or proved, and then to be conclusive against prior deeds not recorded, with a saving clause in favour of certain persons ibid.

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19. That no freeman be deprived of property or liberty but by trial of his peers and the laws of this Province ibid.

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OF ALL THE

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5. Lands shall not be taken up on both sides a creek without consent ibid.
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7. That lands shall be laid out by straight lines unless the Commissioners otherwise order it ibid.
8. That all persons shall take their proportion of meadow ibid.
9. That persons already seated may make their settlements their choice conforming to the rules ibid.
10. That Proprietors shall have 400 acres for town lots and so in proportion, &c. ibid.
11. That persons who have taken town lots shall retain them 439
12. That James Wright shall keep his settlement, &c. ibid.
13. That no man shall take up more lands in the town bounds than his right ibid.
14. That persons having town lots given them, shall not sell them, &c. ibid.
15. That lands shall not be taken up without orders from the commissioners ibid.
16. That all lands taken up before the preceding rules liable to be regulated thereby ibid.
17. That Proprietors in England shall be notified of the allowance of 3200 acres to each propriety for the first choice to be enlarged as settlers present, &c. 440
18. That highways be laid out by the commissioners and the owners of the land indemnified ibid.
19. That Yorkshire tenth shall be confirmed to former agreements, provided each 100 acres does not exceed 50 perches front ibid.
20. That those who have taken up lands shall submit their deeds to the commissioners inspection ibid.
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21. That persons about to take up land in the first and second tenth, shall first make application to the commissioners, and on qualification declare, that the lands specified in their deeds is their own, and then warrants shall issue and returns be made

22. That all Proprietors and purchasers within the first and second tenths, may take up their proportions of the first and second choice in one place provided not above 500 acres be taken up in one settlement

Lands the 22 regulations confirmed by law

Commissioners for land chosen

Daniel Leeds chosen surveyor thereof

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Subjected to the inspection of certain persons and if they find it legally taken, may confirm the location the next court

Taken up within the nine tenths and inhabited, to be esteemed a lawful settlement for the first taking up

And so in like manner for the second settlement

May be taken up a second time (under certain regulations after notice given) if the first Proprietors doth not settle the same, nor give security so to do within a time limited

And marsh laid out by John Fenwick to the town of Salem shall remain to the use of the inhabitants thereof, &c.

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100 acres allowed Thomas Wright to make up a deficiency with some regulations

48 feet front on Delaware river within Burlington town given to Thomas Revell

100 acres given to Thomas Ollive within the town bounds of Burlington

Four acres in Burlington given to Byllynge

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Newby (Mark) his half pence to pass for half pence subject to certain regulations
New West Jersey granted by the Duke of York to Penn and others the 3d of September 1680

O.

Office none disqualified from bearing on account of religion
Officers to take the oaths, &c.
To be appointed by the Assembly, (except justices and constables who were to be elected by the people) and none to hold two offices
To subscribe in a book and promise to execute their offices duly, and falsifying the same to be punished
Not to be affronted
Appointed for the ports of Burlington and Salem
Elected by the Assembly and commissioned by the Governor qualified
To be chose the first day of sessions according to Concessions
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2. That any member of the General Assembly moving or exciting any person to move any thing subversive of the charter, should be treated as a traitor to the government 394
3. That the charter should be recorded in the Assembly and courts of justice, and be read at the beginning and dissolving of every Assembly, and four times a year in the presence of the people ibid.
4. That liberty of conscience should be secured ibid.
5. That no man should be condemned to the loss of life, liberty or property without legal trial by 12 men of the neighbourhood, and if arraigned might except against 35, and in case of valid reason against every man nominated for the service 395, 428
6. That no person inhabiting the Province should be arrested in civil actions without previous summons, &c. nor confined in goal after surrendering his estate for satisfaction of his creditors demands, &c. ibid.

7. That there should be three justices or commissioners to sit with the jury and assist in matters of law, and pronounce the judgment of the jury on whom it only rested, and in case of refusal or neglect, one of the jury to pronounce their own judgment 396, ibid.

8. That in all causes, civil or criminal, there be two persons at least to bear witness of the fact, and the same to be punished in case of false testimony 397, 429

9. That all persons prosecuting others on indictment or information for personal injuries might prosecute their own process and remit the offence ibid.

10. That all causes be determined by the trial of a jury returned by the sheriff from the place where the cause of action arose, and every man permitted to plead his own cause and not obliged to pay prison fees 398, 429

11. That inhabitants might hear trials to the end justice might not be done in secret ibid.

12. That there should be kept in London and West Jersey registers for recording grants and conveyances of land transferred in London or West Jersey, &c. and if not recorded to be void, and persons for keeping them to be appointed by the Proprietors, Commissioners, or Assembly 399

13. That in case of injury done by, or offered to the Indians, redress to be sought for, or granted, and the jury on trials between the white people and Indians to be composed of an equal number of each 401

14. That lands should be purchased of the Indians before survey thereof made ibid.

15. That no master of a vessel should carry away any person until notice of departure certified 402

16. That thieves should make double restitution for things stolen, and if unable, to work for their theft ibid.

17. That persons abusing others should be punished according to the nature of the offence ibid.

18. That care should be taken, that wills were performed, and registered, security given, and inventories exhibited before a disposal of the estate 403, 430
19. That intestates estates be distributed among the wife and children, &c. ibid.  
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20. That orphan children should be taken care of out of their parents estates, and for want thereof at the publick charge 430, 431
21. That the estates of felo de sees, or deodands should not be forfeited unless in certain cases 404, 431
22. That the Assembly should order sentence on murderers or traitors as they judged expedient 404
23. That there should be an annual election of representatives on the first day of October and 100 elected ibid.
24. That the election should be free from bribery, and in case thereof, the offender rendered incapable of electing or being elected, or holding any other office of publick trust for the space of seven years, which election not to be made by cries or voices, but by putting balls into balloting boxes 405
25. That the Assembly should meet and sit upon their own adjournments and ascertain the number of their quorum, &c. 406
26. That the electors should have power to give instructions to their representatives in matters of publlick concernment, and they do oblige themselves by indentures not to do any thing to the prejudice of the community, and failing to be questioned in the Assembly by such electors ibid.
27. That each representative should have 1 s per day from his electors, that he might be known to be their servant ibid.
28. That the members should have the accustomed privileges and the people free access to them ibid.
29. That the Assembly should have power to appoint 10 commissioners for transacting publlick affairs during their intermissions 407
30. That the inhabitants should have power to remonstrate for redress of grievances, or to propose any thing for the publick good ibid., 431
31. That the Assembly should have power of making and repealing laws as near as may be agreeable to the laws of England, and not repugnant to the charter ibid.
32. That the Assembly should have power to erect courts, appoint their officers, ascertain their salaries, &c. but so that no person should hold two offices at one time 408
33. That justices and constables should be chose by the people and the other officers by the Assembly ibid.

34. That the Commissioners of the Treasury should annually account with the Assembly, and they return copies of such account to their constituents ibid. 432

35. That all publick taxes should be laid by the Assembly ibid.

36. That the Assembly should have power to divide the Province into districts, and set a part places for towns, cities, ports, harbours, &c. and the same vest with necessary powers and priviledges, and also might appoint markets and fairs, &c. 409

37. Signers to the charter ibid. 410

By a second charter of priviledges dated November 25th 1681 consented to by the Governor, Proprietors, freeholders and inhabitants of West New Jersey. It was mutually agreed as follows, viz.

1. That an Assembly should be annually elected to sit at a day certain to consider of and transact the publick business, but in case of necessity the Governor with consent of council might convene them sooner 423

2. That the Governor should not suspend or defer confirmation of the laws past by the Assembly ibid.

3. That wars should not be made, or military force raised without consent of Assembly 424

4. That laws should not be enacted without consent of Assembly ibid.

5. That the Assembly should not be prorogued or dissolved within the term of one year without their consent ibid.

6. That taxes should not be laid without the Assembly consent ibid.

7. That all officers of State or trust should be nominated by the Assembly to whom they were accountable ibid.

8. That embassadors should not be sent, treaties made, or alliances entered into without the Assembly's consent 425

9. That the Assembly should not give the Governor a salary for any time longer than one year ibid.

10. That liberty of conscience in matters of faith and worship should be granted to all living peaceably, and none disqualified from bearing office on account of their religion ibid.

11. The charter signed by Samuel Jennings, Deputy Governor, and Thomas Ollive Speaker of the Assembly ibid.

12. Samuel Jennings accepted Deputy Governor on certain conditions ibid.
18. Charter ordered to be recorded 425
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