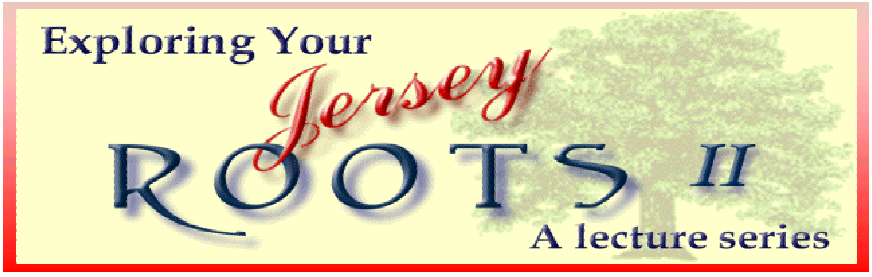

Using the Records of the East and West Jersey Proprietors

Joseph R. Klett

NEW JERSEY STATE ARCHIVES

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USING THE RECORDS OF THE EAST AND WEST JERSEY PROPRIETORS

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Part I – Introduction

Who Were (Are) the Proprietors?

Based on the joint rights granted by the Duke of York to Sir George Carteret and John, Lord Berkeley, New Jersey became a proprietary colony divided into two provinces, east and west. East Jersey's development was tied to New York, New England, and the former Dutch settlement of New Netherland. The settlement of West Jersey on the Delaware River was initially a Quaker venture, and was associated with William Penn and others involved in the colonization of Pennsylvania.

The successors to Carteret's and Berkeley's interests in New Jersey essentially evolved into the corporate East and West Jersey Proprietors, respectively. They were the first British landowners of New Jersey, and governed the provinces for the first forty years of British colonization. In 1702, after the proprietors in East and West Jersey had surrendered their governmental authority several times, Queen Anne established New Jersey as a unified royal colony. The proprietors nevertheless retained their land rights. The provincial dual capitals of Perth Amboy in East Jersey and Burlington in West Jersey also survived until Trenton became the state capital in 1790.

In 1998, the East Jersey Proprietors—then New Jersey's oldest corporation—dissolved and sold their rights to unappropriated land to the state's Green Acres program. At that time, the East Jersey records were transferred from Perth Amboy to the State Archives in Trenton. The West Jersey Proprietors continue as an active corporation based in Burlington, NJ, and still hold their original records. However, in the interest of public access to information and historical research, West Jersey allowed their bound volumes to be microfilmed in the 1950s and copies of these reels are available at the State Archives.

And Why do you Care?

The records of the East and West Jersey Proprietors document over three hundred and twenty years of land transactions and settlement in New Jersey. While the earliest volumes of proprietary deeds, surveys and government commissions were united in the office of the Secretary of State at the time or soon after Trenton was established as the state capital in 1790, a large volume of books containing just surveys or warrants and certain other early records were retained by the proprietors.

Since the recording of land conveyances is and has always been voluntary, and since this function was not fully available in the county seats until 1785 for deeds and 1766 for mortgages, proprietary survey records are vital for documenting colonial land-owning families. Throughout the records are buried innumerable genealogical facts and connections. Since very little has been published in terms of abstracts or transcripts of the proprietary land records, serious research requires using the original documents (on microfilm).

Genealogical documentation aside, a basic knowledge of the East and West Jersey Proprietors and the partition lines between the two provinces will aid any genealogist researching colonial New Jersey families. The original counties and their boundaries and subdivisions were based on the east-west division, and references to the respective provinces are prevalent in land, estate, court and legislative records through to the revolutionary period and later.

Several major indexes to proprietary surveys are available at the State Archives, and we have produced or are in the process of creating databases that further catalog and index these records. Improving access to the proprietary records is one of the State Archives' highest processing priorities.

East Jersey versus West Jersey

While the proprietary systems that evolved in East and West Jersey had much in common, there were marked difference in terms of the development of the two provinces and the relationship between the settlers and the proprietors. In East Jersey, patents had been granted independently by Governor Nicolls to colonists from New England and New York, setting the stage for major and ongoing disagreements. These disputes related to the very right of the Proprietors to govern, the collection of quit-rents, the granting of unsettled lands within the Nicolls patents, and the means of funding government. East Jersey also was subject to customs-related challenges and annexation efforts on the part of New York. As a result of these controversies, settlement in East Jersey during the proprietary period was slower than had been anticipated.

The disputes related to land rights and quit-rents plagued East Jersey throughout the proprietary period and beyond the 1702 surrender of governing rights. The controversy over lots granted by the Elizabeth-Town Associates, culminating in the 1745 Bill in Chancery and its answer, is a reminder that even after the East Jersey Proprietors were no longer a governmental authority they were still at odds with a proportion of the settlers to the end of colonial times.

In West Jersey, where shares were divided into smaller fractions, there was greater opportunity for persons other than the extremely wealthy to hold stock in the colony and its land. Quit-rents were not required in much of West Jersey due to the wider distribution of land rights and the resultant competition for sales to settlers. While West Jersey's governors Edward Byllynge and Daniel Coxe often acted in conflict with the chartering *Concessions and Agreements* (which Byllynge himself had written), the democratic ideals found in this document had a positive influence on the relationship between the settlers and the proprietors.

While members of the Society of Friends (including William Penn) were involved in the development of East Jersey and were in large numbers among its settlers, the initial colonization of West Jersey was *essentially a Quaker venture*. In fact, many of the problems that arose in West Jersey toward the end of the proprietary period were connected to non-Quaker forces—in particular Dr. Daniel Coxe, the West Jersey Society (which acquired land and governance rights from Coxe), and the Society's agents. Overall, West Jersey was a more peaceful province with a more open proprietorship.

It is of interest to note that there are also differences between the types of records kept by the East and West Jersey proprietors respectively. In East Jersey, the early proprietorship was characterized by contention over quit-rents and a need for defense of proprietary land rights. It is not surprising, therefore, that among East Jersey's archive are certain record types not found in West Jersey, such as quit-rent accounts and exemplified copies (abstracts) of the earliest deed books—the originals having been taken over by the colonial government before 1741.

On the other hand, in West Jersey proprietary rights were divided into smaller fractions. There were (are) hypothetically 3,200 voting shares as compared to ninety-six in East Jersey, although many West Jersey shares have never been accounted for. In theory then (since the main purpose of proprietary records is to document land surveys and the initial severance of title from the proprietors), the West Jersey records *may* contain buried genealogical data pertaining to a greater number of families.

The proprietary records—from both East and West—are nevertheless vital to research on colonial New Jersey families. **Both archives contain extensive and as yet unpublished documentation from the seventeenth century.** Obviously, the largely untapped historical and genealogical research potential of the proprietary land records is vast indeed.

Part II –Important Events in New Jersey's Proprietary History

The following timeline is adapted primarily from **John E. Pomfret**, *The New Jersey Proprietors and Their Lands, 1664-1776* (Princeton, 1964) and **John P. Snyder**, *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969). A short list of important years to remember is included at the end. *NOTE*: The years as given are based on the modern calendar.

29 May 1660 – King Charles II restored to the throne in England; resolves to bring the New Netherland colony into the dominion of the British crown.

12 March 1664 – King Charles issues patent bestowing upon his brother James, Duke of York, the land extending from the St. Lawrence River to the Delaware. Included are Maine, Martha's Vineyard, Nantucket, Long Island, and the mainland between the Connecticut and Delaware rivers (containing New York and New Jersey).

23-24 June 1664 – Duke James grants lands between the Hudson and Delaware rivers to friends John, Lord Berkeley, and Sir George Carteret (both also proprietors of the Carolinas). Nova Caesaria (New Jersey) is mentioned for the first time in honor of Carteret's defense of the Isle of Jersey in the English Channel.

18 August 1664 – Four British frigates arrive at New Amsterdam; the Dutch surrender. Col. Richard Nicolls is established as governor of the Duke's territories. New Amsterdam is renamed New York; New Jersey is called Albania by the local English.

late 1664 – Gov. Nicolls issues conditions upon which plantations would be created.

1 December 1664 – Gov. Nicolls grants patent for settlement on Achter Koll (Newark Bay), subsequently called Elizabeth-Town, which had been purchased from the Indians on 28 October by John Ogden, Luke Watson and others.

10 February 1665 – Berkeley and Carteret publish *Concessions and Agreements* based on Carolina's concessions.

8 April 1665 – Gov. Nicolls grants patent for Navesink/Monmouth tract (Middletown and Shrewsbury settlements).

August 1665 – Capt. Philip Carteret, cousin of Sir George, arrives as governor of the new colony. Elizabeth-Town is named in honor of Lady Elizabeth Carteret, wife of Sir George.

November 1665 – Settlers at Bergen take oath of allegiance to the king and the proprietors.

February 1666 – Lot owners in Elizabeth-Town take oath of allegiance.

May 1666 – Southern half of Elizabeth-Town patent sold to settlers from Massachusetts; becomes Woodbridge. Portion of Woodbridge patent sold to settlers from New Hampshire; becomes Piscataway. The two townships are set aside by Gov. Carteret on 21 May.

11 July 1667 – Newark tract purchased by Robert Treat and others. Settlers had landed 17 May 1666.

February 1668 – Woodbridge settlers take oath of allegiance. Township chartered 1 June 1669.

22 September 1668 – Bergen Township chartered by Gov. Carteret.

1 August 1673 – Dutch recapture former New Netherland area; begin to set up government at Achter Koll (New Jersey).

9 February 1674 – Westminster Treaty returns Dutch-held New York and New Jersey to the English.

18 March 1674 – John, Lord Berkeley, sells his joint but as yet undivided interest in New Jersey to John Fenwick in trust for Edward Byllynge.

June 1674 – King Charles II makes confirming grant of New Jersey to brother James, Duke of York, reserving the right of customs and duties.

1 July 1674 – Edmund Andros is commissioned governor of New York by Duke James.

28-29 July 1674 – Duke of York issues patent to Sir George Carteret for East Jersey, being the territory lying north of a line connecting Barnegat Bay on the Atlantic Ocean with Pennsauken Creek on the Delaware River.

9 February 1675 – Tripartite (three-party) deed signed, in which William Penn, Gawen Lawrie and Nicholas Lucas become trustees of Edward Byllynge's interest in western New Jersey except for one tenth granted to John Fenwick.

November 1675 – John Fenwick founds settlement at Salem in his tenth of western Jersey.

13 November 1675 – Four counties are designated (without names) in East Jersey based on settlements at Bergen; Elizabeth-Town and Newark; Woodbridge and Piscataway; and Middletown and Shrewsbury.

1 July 1676 – Quintite or quintipartite (five-party) deed is signed between Carteret and the trustees of western New Jersey establishing boundary line projected from Little Egg Harbor to a point 41º 40' latitude on the upper Delaware.

3 March 1677 – West Jersey's *Concessions and Agreements*, drafted in 1676 by Edward Byllynge and signed by the proprietors and inhabitants; sets forth a framework of government and fundamental laws of the colony.

August 1677 – The ship *Kent* arrives at Burlington in West Jersey; settlement of "London" and "Yorkshire" tenths follows.

September-October 1677 – Large tracts of lands in West Jersey are purchased from the Indians.

January 1680 – Sir George Carteret dies; Gov. Andros soon after asserts authority over New Jersey and challenges Gov. Philip Carteret's authority.

6 August 1680 – Deed of confirmation is issued by the Duke of York conveying West Jersey to Edward Byllynge and other proprietors.

November 1680 – Duke James informs Gov. Andros that he has relieved East and West Jersey of his rights to government and public duties.

1681 – Courts are established for West Jersey in Burlington and Salem.

November 1681 – "Irish Tenth" (present-day Camden area) settlers arrive in West Jersey; remain in Fenwick's colony for the first winter.

1-2 February 1682 – East Jersey is sold by the trustees of Sir George Carteret to twelve men, all Quakers except one, led by William Penn.

August-September 1682 – The twelve East Jersey purchasers each take on a partner in the venture, resulting in the Twenty-Four Proprietors.

September 1682 – Scottish Quaker Robert Barclay is elected by the proprietors as governor of East Jersey.

7 March 1683 – East Jersey's counties—Bergen, Essex, Middlesex and Monmouth—are formalized, each with its own court.

14 March 1683 – New patent for East Jersey is issued by the Duke of York to the Twenty-Four Proprietors.

1684 to 1687 – The right of free ports in New Jersey (namely Perth Amboy) is challenged in New York and England.

1685 – Court jurisdiction is established in Cape May in West Jersey.

April 1685 – Fourteen local men are established as the Council (later Board) of Proprietors of East New Jersey; are given broad powers of government, collection of quit-rents, and determining the boundary line with West Jersey.

1686 – Perth Amboy becomes capital of East Jersey.

late 1680s to 1695 – Challenges and lawsuits occur in East Jersey over quit-rents and land titles in the areas patented by Gov. Nicolls.

26 May 1686 – Gloucester courts are established separate from Burlington, in West Jersey.

8 January 1687 – William Emley and John Reid, commissioners from West and East Jersey respectively, determine boundary between the two provinces.

16 January 1687 – Edward Byllynge dies; Dr. Daniel Coxe purchases his interests in West Jersey.

April-May 1687 – Surveyor George Keith, for East Jersey, lays out partial east-west boundary; line is not continued above the south branch of the Raritan after the division is deemed inequitable.

June 1687 – East Jersey Proprietors assure royal council that they are willing to have customs collected and also are willing to surrender governance rights provided land rights are retained. With English proprietors of West Jersey, they petition that East and West Jersey be united rather than annexing East Jersey to New York.

September 1687 – Daniel Coxe informs West Jersey Proprietors that he will assume governorship.

April 1688 – East and West Jersey proprietors sign first of several surrenders of governance rights; "Glorious Revolution of 1688" in England and other events delay surrender for another fourteen years.

mid-1688 to April 1689 – New Jersey and New York are temporarily annexed to the Dominion of New England under Gov. Edmund Andros, seated in Boston.

14 May 1688 – Somerset County is set off from Middlesex County in East Jersey

5 September 1688 – The boundary from the end of the Keith line to the Hudson River is agreed to by West Jersey Governor Daniel Coxe and East Jersey Governor Robert Barclay.

6 September 1688 – West Jersey Council of Proprietors is formed to administer land distribution.

1689 – England enters war with France; New York presses for annexation of New Jersey for reasons of defense.

1690s – East Jersey Assembly presses for taxation of proprietors' unimproved lands; East Jersey Proprietors press for collection of quit-rents or taxation to support government.

March 1692 – Dr. Daniel Coxe, West Jersey's largest shareholder, sells governance and certain land rights to the West Jersey Society (a land speculation company) for £9,800. By 1699, 230,000 acres of land are surveyed out of 577,000 acres estimated to belong to the Coxe right.

31 October 1693 – East Jersey's counties are formally divided into townships for administration of local government; all of Somerset County is treated as a single township.

17 May 1694 – West Jersey's county boundaries are formalized, although the courts were well established. Boundaries are not extended far into the interior.

1696 to 1699 – Ongoing crises arise in East Jersey between the assembly and the proprietors during Jeremiah Basse's governorship.

1697 – Sixty-five inhabitants of Elizabeth-Town petition the crown to abolish the proprietary government and unite East Jersey with New York.

1699 – "Revolution" occurs in East Jersey, with violence and civil disturbance in Elizabeth-Town, Newark, Piscataway and Middletown. Returning governor Andrew Hamilton calls on militia, but repelled.

December 1699 – Clinker Lot Division occurs in Elizabeth-Town, where 17,000 acres of undivided townlands are apportioned in disregard of the Proprietors' survey.

15 April 1702 – East and West Jersey Proprietors surrender governance rights to Queen Anne. New Jersey becomes a single royal colony, although the provincial capitals of Perth Amboy and Burlington continue as dual seats of government for the colony's eastern and western divisions, respectively. Proprietors retain land rights. Deeds, surveys and other records will continue to refer to the provinces of East and West Jersey into the revolutionary period and later.

27 March 1719 – Colonial legislature passes an act for appointment of commissioners to determine the true north point of the Duke of York's grant of 1664.

25 July 1719 – Tripartite (three-party) deed executed between representatives of New York, East New Jersey and West New Jersey agreeing to northern boundary of New Jersey and the northern terminal of an unsurveyed partition line between East and West Jersey.

1738 to 1776 – Disputes prevail relative to quit-rent rights of the East Jersey Proprietors and land titles in areas for which patents were granted by Gov. Nicolls.

September-October 1743 – John Lawrence, for the East Jersey Proprietors, surveys the partition line between East and West Jersey to the northern terminal. Many grants between the original partition and the Lawrence Line had been granted in the preceding decades, confusing the land titles in this triangular area in the center of the colony.

13 April 1745 – Bill in Chancery filed by East Jersey Proprietors challenging the settlers of the "Clinker Lots" in Elizabeth-Town. Defendants' answer to bill is completed in August 1751. Longstanding dispute stemming from patents granted by Gov. Nicolls eighty years before are never resolved judicially.

1769 – Commissioners appointed by the king establish New York-New Jersey boundary line. Two hundred thousand acres within New York boundary had been considered part of New Jersey; however, East Jersey Proprietors agree to the line. The survey is completed in 1774. West Jersey Proprietors unsuccessfully attempt to have legislature recognize the new northern point as the northern end of the East-West Jersey partition.

25 November 1790 – Trenton becomes the capital of all New Jersey.

Key Years to Remember

1664: British take over New Netherland; New Jersey granted by Charles II to James, Duke of York.

1664-1667: East Jersey purchases are patented and seven towns are established: Bergen, Elizabeth-Town, Middletown, Shrewsbury, Woodbridge, Piscataway and Newark.

1675-1680s: West Jersey areas are settled, including Salem, Burlington and present-day Camden County.

1676: "Quintipartite Deed" is executed between Sir George Carteret (East Jersey's owner) and the trustees of West Jersey; division line is projected.

1687-1688: Keith Line and upper boundary are established.

1702: East and West Jersey Proprietors surrender governance rights to the crown but retain land rights.

1719: Northern point of division between East and West Jersey and boundary with New York are agreed to.

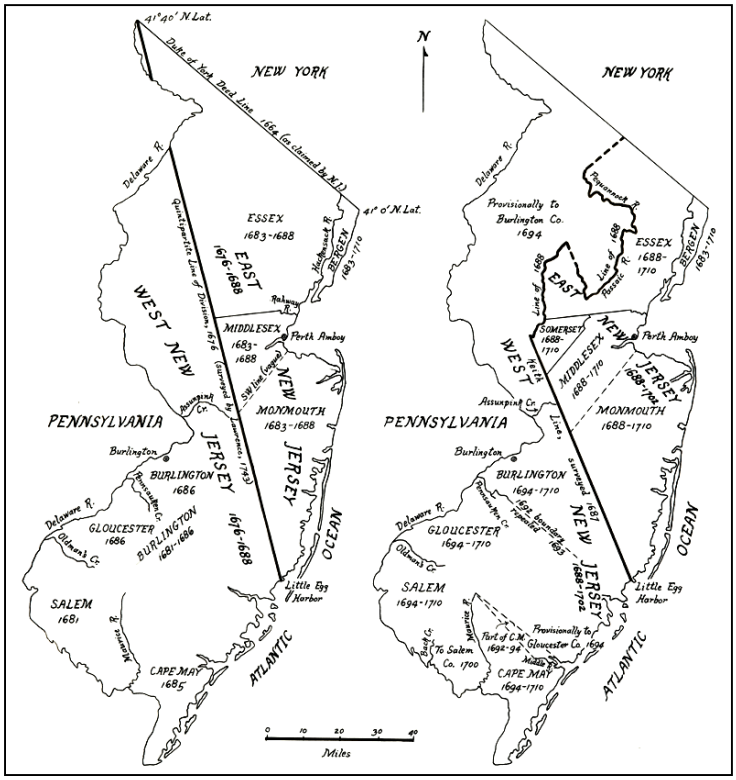
1743: Lawrence Line establishes legal (and final) boundary between the two provinces.

Part III – The East-West Boundary

Berkeley and Carteret initially held undivided joint interests in New Jersey as granted by the Duke of York in 1664. In 1676, after seven towns in East Jersey had been established and John Fenwick had already founded the Salem colony in West Jersey, an east-west division line was projected based on the Quintipartite Deed between George Carteret and Lord Berkeley's successors. It was not until 1687, however, that the Keith Line was surveyed. The following year the northern boundary was agreed to by the governors of the two provinces. While this surveyed partition line became the permanent boundary between certain counties, the division was contested and later superceded.

In 1719, New Jersey's northern boundary was tentatively established by a Tripartite Deed between New York and the East and West Jersey Proprietors. It was agreed that the northern terminal of the border was to be the northern end of an unsurveyed new division line between East and West Jersey. The east-west boundary, however, was not actually laid out until 1743, when John Lawrence surveyed the partition at the direction of the East Jersey Proprietors. In 1769, the northern boundary of New Jersey was determined (and changed) by the crown, resulting in a lost of approximately 200,000 acres formerly within East Jersey.

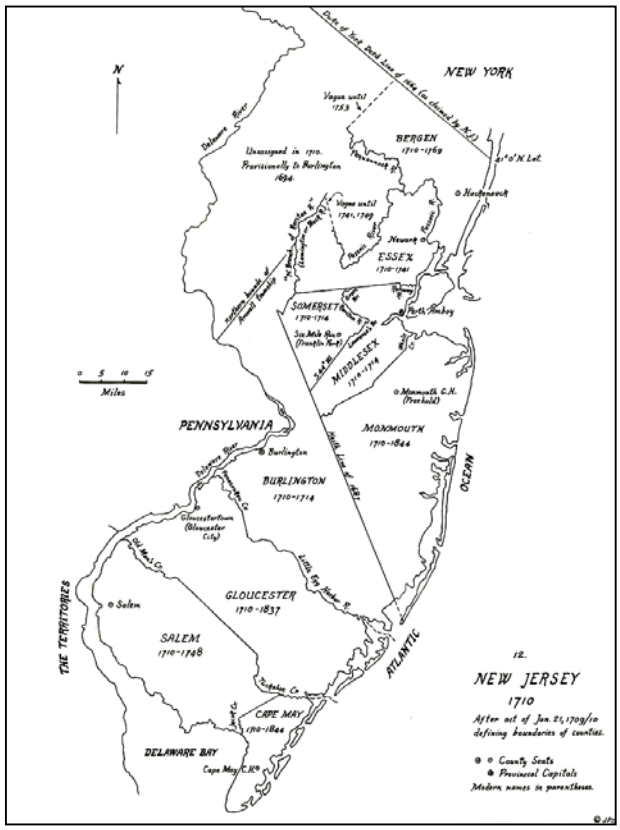
Quintipartite Deed
(1676)



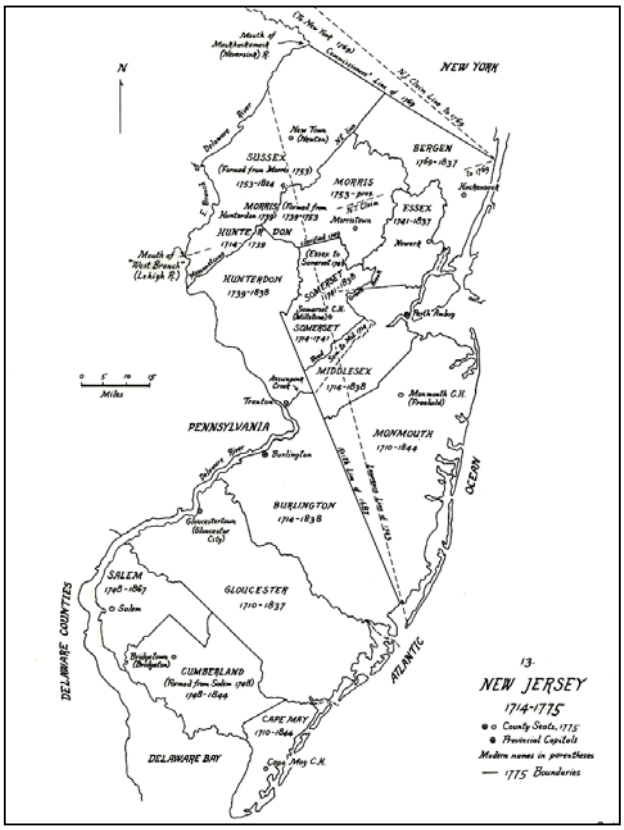
"East & West New Jersey" by John P. Snyder. Published in *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969), p. 31. Original map held by New Jersey State Archives.

Keith Line
(1687)
and
upper boundary
(1688)

New Jersey's Counties in 1710



Lawrence Line (1743)



"New Jersey, 1710" and "New Jersey, 1714-1775" by John P. Snyder. Published in *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969), p. 33 & 35. Original maps held by New Jersey State Archives.

Part IV – East Jersey's Earliest Settlements

Adapted from **John E. Pomfret**, *The New Jersey Proprietors and Their Lands, 1664-1776* (Princeton, 1964) and **John P. Snyder**, *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969).

Bergen, 1661/1665 – Originally settled by the Dutch as part of the New Netherland colony and incorporated by Peter Stuyvesant in 1661. Settlements included Harsimus and Communipaw (parts of Jersey City), and Pemrepaugh (part of Bayonne). In November 1665, thirty-two residents took the oath of allegiance to the proprietors—the first settlers in New Jersey to do so. Chartered as Bergen Township under Governor Carteret on 22 September 1668. From 1667 to 1670, huge purchases were made in the Bergen area with the approbation of Carteret by speculators from Barbados, namely William Sandford, Nathaniel Kingsland and John Berry. The area was called "New Barbadoes"; certain grants were within the boundaries of **Newark** (*see below*).

Elizabeth-Town, 1664 – Patent granted by Gov. Nicolls on 1 December 1664 to John Baker, John Ogden, John Bayly and Luke Watson. Large tract between Raritan and Passaic rivers purchased from the Indians for £154. Includes all of present-day Union County and parts of Morris and Somerset, about 500,000 acres in all. Only four families had settled in this area at the time of Philip Carteret's arrival in August 1665. Town plat laid out and rights offered at £4 apiece. Home lots were six acres; second- and third-lot rights were proportionately larger. Elizabeth-Town was initially the capital of New Jersey and later East Jersey until 1686. In February 1666, sixty-five lot owners took the oath of allegiance to King Charles and to the proprietors. Practically all were settlers from Long Island with Puritan New England origins. In May 1666, three principal owners, Carteret, Ogden and Watson, sold the southern half their patent to settlers from Massachusetts (*see* **Woodbridge** *below*).

Middletown & Shrewsbury, 1665 (a.k.a. Navesink or Monmouth Patent) – In April 1665, twelve men, principally from Long Island, obtained a triangular tract from Governor Nicolls extending from Sandy Hook to the mouth of the Raritan River, up the river approximately twenty-five miles, then southwest to Barnegat Bay. The area was first known as Navesink, then Middletown and Shrewsbury County, and finally in 1683 as Monmouth County. Founders were mostly Baptists and Quakers. Purchasers at Middletown and Shrewsbury subscribed £3 or £4, which entitled them to 120 acres with additional increments for wives and children, and 60 acres for each servant. As many as eighty families arrived from Long Island, Rhode Island and Massachusetts during the first years. Quaker meetings were established by 1670. Settlers understood their patent to have endowed them with a right of government.

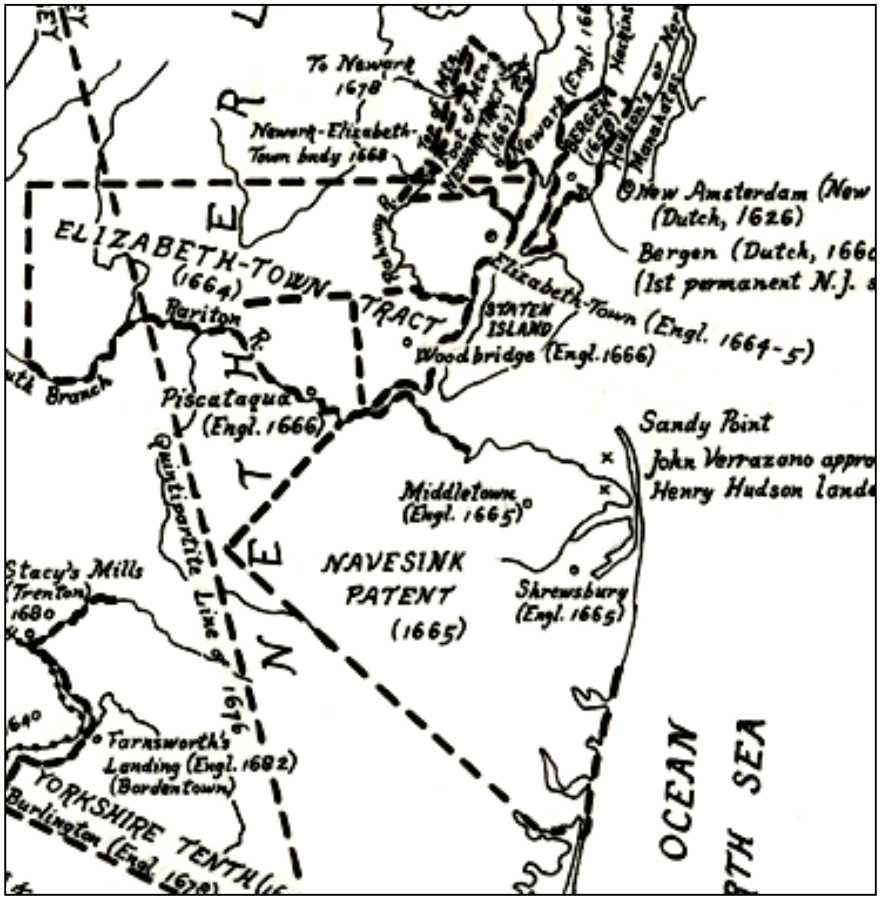
Woodbridge, 1666 – Founded by Daniel Pierce, John Pike and Abraham Tappan of Newbury, Massachusetts, who purchased the southern half of the Elizabeth-Town patent in 1666. Pierce sold a third of his holdings to four men from New Hampshire (*see* **Piscataway** *below*). They added other associates, who also received 240 acres of upland and 40 acres of meadow. Individual settlers purchased allotments from the associates. In February 1668, thirteen Woodbridge men took the oath of allegiance as required by the proprietors. A town charter was received from Gov. Carteret in June 1669. The charter stipulated that home lots were to be 10-20 acres; each purchaser would be entitled to 60 acres of upland and 6 acres of meadow. In lieu of the standard proprietor's seventh, 1,000 acres at Ambo Point (later Perth Amboy) were set aside for the proprietors.

Piscataway, 1666 (initially Piscataqua) – One third of Daniel Pierce's rights in the Woodbridge patent was purchased by four men from New Hampshire; the settlement was named for the Piscataqua River. With four other associates, they brought fifteen additional families from New Hampshire. Although still short of the required sixty families by 1670, settlement was permitted to continue. Home lots, meadow and upland were similar to those allotted in Woodbridge.

Newark, 1667 – In 1661, Robert Treat of Milford, Connecticut, discussed with Gov. Peter Stuyvesant a plan for settlers to remove to New Netherland. Following the British takeover, and after discussion with Gov. Carteret, thirty settlers arrived from Milford, Branford and Guilford to the west bank of the Passaic River on 17 May 1666. Treaty was made with the Indians and the tract was purchased 11 July 1667. The leaders of the Puritan migration from the New Haven towns were Robert Treat, Samuel Swain, Jasper Crane and Rev. Abraham Pierson. Each settler was allowed a home lot of six acres, together with upland and meadow. The western boundary was subsequently extended to the foot of the Watchung Mountains, and again extended in 1678 to the summit line.

Scottish Colony, 1683 – Following the purchase of a share of East Jersey by Scottish Quaker and later Governor Robert Barclay, Scottish settlers were recruited and began to arrive in Perth Amboy and surrounding areas beginning in 1683. Most were not Quakers, but rather Calvinists from Edinburgh, Montrose, Aberdeen and Kelso. Settlers and their servants were granted lots in Perth Amboy and areas of Monmouth County. Perth Amboy became the capital of East New Jersey in 1686.

East Jersey's Earliest Settlements



From "New Jersey, 1609-1680 – European Settlement" by John P. Snyder. Published in *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969), p. 5. Original map held by New Jersey State Archives.

East Jersey Counties during the Proprietary Period:

Bergen – Established 7 March 1683. In 1693, formally divided into Bergen and Hackensack Townships. New Barbadoes added from Essex County in 1710.

Essex – Established 7 March 1683. In 1693, formally divided into townships of New Barbadoes & Acquackanonk (a single township), Newark and Elizabeth-Town.

Middlesex – Established 7 March 1683. In 1693, formally divided into Woodbridge, Perth Amboy and Piscataway townships.

Monmouth – Established 7 March 1683. In 1693, formally divided into Freehold, Middletown and Shrewsbury townships.

Somerset – Set off from Middlesex County, 14 May 1688. In 1693, administered as a single township and not divided into precincts until about 1745.

Part V – West Jersey's Earliest Settlements

Adapted from **John E. Pomfret**, *The New Jersey Proprietors and Their Lands, 1664-1776* (Princeton, 1964) and **John P. Snyder**, *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969).

West Jersey was first developed as a Quaker colony, with initial settlement primarily coming directly from England. The proprietors' one-hundredth shares in West Jersey were estimated to equate to roughly twenty thousand acres each. Tenth-part divisions of the colony were later superseded by counties. Indentured servants were few in West Jersey compared to East Jersey, and the quit-rent system—so problematic in East Jersey—was never prevalent in the western province. This was due to the greater competition for sales to settlers as a result of a greater fractioning of proprietary rights in West Jersey. The unit of settlement was a medium-sized farm from fifty to three hundred acres.

Salem, 1675 (or Salem Tenth, a.k.a. Fenwick's Colony) – Founded in November 1675 by Quaker John Fenwick, who had held title to the Berkeley undivided half interest in New Jersey in trust for Edward Byllynge. Based on his financial contribution, he was granted one tenth of West Jersey. Land was offered at £5 per 100 acres; owners of 1,000 to 10,000 acres were to be proprietors or freeholders. Settlers were largely Quakers of modest means, generally merchants or craftsmen. *See also* **Swedish Colonists** *below*.

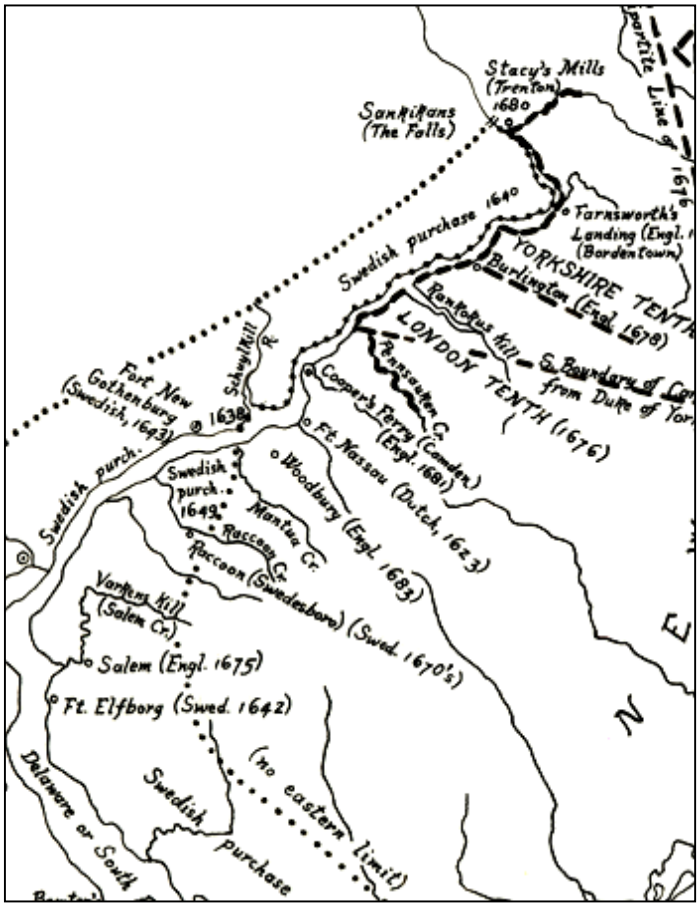
Yorkshire Tenth – Ten shares of West Jersey were conveyed to five Yorkshire men at the Falls of the Delaware (Trenton). This first tenth (northernmost to be surveyed) became known as the Yorkshire Tenth, and was settled by mostly Yorkshire families. Initially, both the Yorkshire group and the "south country" or London group (*see below*) remained together on Rancocas Creek, later Burlington City.

London Tenth (including **Burlington**) – The second tenth was purchased by "south country" Englishmen united under commissioners to establish settlement on the Rancocas. The ship *Kent* arrived at Burlington in August 1677 carrying 230 passengers from Hull, in Yorkshire, and London. The settlement was first called New Beverly. Town lots were drawn in October 1677; settlement began in December 1678. Each owner of a whole propriety was entitled to 10 acres within the town plus 64 acres of meadow. Burlington became the capital of West New Jersey in 1681.

Irish Tenth – Six of the Irish proprietors of West Jersey settled on the third tenth, consisting of the land between the Pennsauken and Timber creeks (present-day Camden County). Their agent Robert Zane, then living at Salem, scouted out the land prior to the settlers' arrival in November 1681 and chose Newton Creek. The village of Newton was founded in 1682, after the settlers spent their first American winter in Fenwick's Colony. Cooper's Ferry had been established (at present-day Camden) in 1681. In 1685, Gloucestertown Township (now Gloucester City) became the first municipality formed within the Third and Fourth Tenths, which were united as Gloucester County in 1694. Newton, Waterford and Gloucester townships were established in 1695.

Fourth Tenth and **Swedish Colonists** – The land between Timber Creek and Oldmans Creek was called the Fourth Tenth, and became present-day Gloucester County. Areas within this tenth and along the southern Delaware River and Bay within the "Lower Six Tenths" had been part of the former colony of New Sweden. Fort Elfsborg below Salem Creek (called Varkens Kill) was an early Swedish settlement on the New Jersey side. New Sweden was taken over by the Dutch in 1655, and as part of New Netherland was taken over by the English in 1664. English settlement of the Fourth Tenth was well established by 1685, with Woodbury founded in 1683. The area called Raccoon, on the creek by that name, was settled by Swedish families in the 1670s. Regardless of earlier grants in the area as part of New Sweden and under the Dutch, new patents and titles were required by the English proprietorship. West Jersey's third and fourth tenths became Gloucester County in 1694. Egg Harbor Township (present-day Atlantic County) was established that year; Deptford and Greenwich were established in 1695.

West Jersey's Earliest Settlements



From "New Jersey, 1609-1680 – European Settlement" by John P. Snyder. Published in *The Story of New Jersey's Civil Boundaries, 1606-1968* (Trenton, 1969), p. 5. Original map held by New Jersey State Archives.

West Jersey Counties during the Proprietary Period:

<u>Burlington</u> – Court established 1681. Boundary set with Gloucester, 12 November 1692, but then repealed. Formed by union of First and Second Tenths, 17 May 1694; consisted of Burlington, Chester, Chesterfield, Evesham, Mansfield, Northampton, Nottingham, Springfield and Willingboro townships.

<u>Cape May</u> – Court jurisdiction established 1685. Boundaries set up 12 November 1692; Great Egg Harbor area transferred to Gloucester County in 1694. Not divided into Upper, Middle and Lower precincts until 1723.

<u>Gloucester</u> – Court established separate from Burlington, 1686. Boundary set with Burlington, 12 November 1692, but then repealed. Formed by union of Third and Fourth Tenths, plus Egg Harbor area, 17 May 1694. By 1695 consisted of Deptford, Greenwich, Gloucester, Gloucestertown, Newton, Waterford and Egg Harbor townships.

<u>Salem</u> – Townships laid out by or soon after 1675, including East Fenwick (later Maneton/Mannington), West Fenwick (Penn's Neck), Elsinboro, and Salem. Court established 1681. Formed as a county from the Salem Tenth, 17 May 1694. Cohansey and Fairfield townships mentioned by 1697. Alloways Creek and Pilesgrove townships mentioned by 1701.

Part VI – Key Terms and Document Types

Council/General Board of Proprietors – The governing body of the province and of its voting shareholders. While both bodies were originally referred to in early records as a council, East Jersey's governing body became the "General Board of Proprietors." Officers include the President, Vice President(s), Treasurer, Registrar/Clerk, and Surveyor General. The secretarial functionary was titled Recorder, Registrar, Secretary and Clerk at various times during the early history of the proprietors, but became the Registrar in East Jersey and Clerk in West Jersey. East Jersey also had a Receiver General to collect quit-rents during colonial times.

In the proprietary and colonial periods, the authority of the various offices can be unclear because the proprietors in England, the colonial legislative assemblies, the West Jersey Society and the colonial governors held and exercised varying rights over appointments, quit-rent collection, etc. Further, the government office of provincial secretary (after 1702) and the proprietary office of recorder or registrar were often vested in the same person.

Minutes – The ongoing record of decisions made by the governing body. East Jersey's minutes were published by the Proprietors for the period 1685-1794 (in 4 vols.), and can be read in manuscript form after that date to the dissolution of the General Board in 1998. West Jersey's minutes are available on microfilm for the period 1688-1951.

Share/Propriety – A right to a fractional division of the proprietorship of the colony, and the basis for voting rights in the General Board or Council. Sometimes, but not exclusively, used to mean a full share (i.e., 1/100th in West Jersey).

- *East Jersey* – The rights to unappropriated land in the eastern province were purchased by the Twenty-Four Proprietors in 1682; however, patents for six settlements had already been granted prior to that time and many town lots and tracts in those areas had already been sold. The twenty-four shares were subsequently divided into quarter parts, resulting in ninety-six total shares of East Jersey. One full quarter share entitled a shareholder to vote as a proprietor on East Jersey's General Board.
- *West Jersey* – The western province was divided into tenths, with one tenth granted to John Fenwick. "Fenwick's Colony" became present-day Salem and Cumberland counties, and was essentially independent of the remaining trustees of West Jersey. The remaining nine tenths of West Jersey were then divided again into tenths producing ninety hundredth parts. These shares, or proprieties, were then divided into smaller parts. Some shares were divided into sevenths (i.e., 1/7 of 1/90) and initially valued at £50—an affordable price for many investors. Many of the shares were divided into 1/32 parts, and this became the minimum holding required to be entitled to a proprietary voting right.

  As a result of the smaller fractioning of shares, the number of shareholders in West Jersey was (is) potentially much greater—hypothetically a maximum of 3,200 votes. However, shares were and have been consolidated, so the number of voting proprietors was never so high. Also, due to incomplete recordkeeping during the early period a number of shares of West Jersey have never been accounted for since the colony was established.

Shareholder/Proprietor – The owner of a share or shares of the province. "Proprietor" is typically used to mean a member of the General Board or Council, i.e., a voting shareholder. Owners of smaller fractions of shares are not considered "proprietors" since they do not have voting rights.

Order – A directive from the Board or Council to perform an action (e.g., to issue land rights after a dividend has been declared or to accept a claim or survey). Orders are recorded in the minutes.

Dividend – The share allotted to each of several persons entitled to part of a division of profits or property. Proprietary dividends have generally taken the form of a proportional share of a total number of acres of previously unappropriated land. Each shareholder receives an allotment of acreage in a location of his choosing, according to the proportion of shares held. In East Jersey (as of 1993), twelve dividends of "good land rights" were granted. In each of the first two divisions, dividends were 10,000 acres to a quarter share. West Jersey's initial dividend was 5,200 acres per full share, but only 3,200 acres were distributed; a second "taking" of 2,000 acres per share occurred in 1683.

Patent – A grant of a privilege, property, right, franchise or authority made to one or more individuals by the government or sovereign entity. In proprietary New Jersey, typically a patent (a.k.a. grant) came from the crown or governor to the proprietors, or from the proprietors to the first purchasers of previously unappropriated land.

Warrant – An authority issued by the Registrar/Clerk to the Surveyor to lay out a parcel of land in compensation for a claim or right (of a shareholder), or a part thereof. Depending upon the time period, warrants in East and West Jersey may be recorded in the same books as the surveys, or in separate volumes.

Survey and Return – The survey serves as an application to the Board/Council for severance of title to a parcel laid out by the Surveyor General or one of his deputies. The return of the survey is issued and signed by the Surveyor General in fulfillment of the warrant and recorded. Once the return is made, the land can be conveyed to or by the shareholder. Surveys were recorded into books in both East and West Jersey, and both also have loose returns beginning at different dates. Loose surveys typically include a drawing of the metes and bounds of the property in addition to the narrative record, and are therefore especially interesting when researching property ownership. East Jersey's loose surveys begin in 1786, and are available on microfilm and original form. West Jersey's loose surveys are held by the Council in Burlington, and are not available as part of the microfilm collection at the State Archives.

A *caveat* is produced when another landowner asserts that a new survey overlaps with land that has been previously appropriated. If the Suveyor General finds that the caveat is valid after a *resurvey*, a *certificate of mislocation* is issued to document that all or part of the tract surveyed was previously appropriated and to credit the deficient acreage to the account of the individual with the inferior (later) title.

Deed/Conveyance/Indenture – A writing signed by the grantor whereby title to realty is transferred from one to another. Note that the **grantee does not** sign the deed. The earliest books recording deeds, surveys and government commissions (*see below*) in East and West Jersey were united in the office of the Secretary of State over two hundred years ago. Prior to the establishment of the state government in 1776—and subsequently the establishment of Trenton as the state capital in 1790—these volumes were located in the former dual capitals of Perth Amboy and Burlington. The recording function at the colonial level was vested in provincial secretaries, predecessors of the Secretary of State, who were responsible for the books.

As the provincial secretaries were typically also the registrars or recorders of the East and West Jersey Proprietors, the colonial provenance of the volumes is murky. In 1743, amidst the brewing controversy over land rights in Elizabeth-Town, the East Jersey Proprietors asserted ownership of the record books for the eastern division. They argued that the volumes had been "quietly" possessed by the proprietors after 1702 and that actions during Gov. Edward Hyde, Lord Cornbury's administration which resulted in the government taking over recordkeeping were arbitrary and in conflict with the laws of the time.

This argument appears to have proved fruitless—at least in terms of the proprietors retaining or recovering the original books. Instead, the East Jersey Proprietors at its own expense produced a set of exemplified copies of the East Jersey volumes. This had been authorized by the East Jersey board in

1741, and the copies continue through Book E-2, which ends in that year. The controversy aside, separate books were still kept for (and assumedly in) East and West Jersey respectively through 1775.

Commission – A certificate issued from the government to a person authorizing and empowering him/her to perform certain duties such as the responsibilities of an office or military rank, executing judicial jurisdiction, etc. As New Jersey's proprietors held governance rights prior to 1702, commissions and other documents are recorded in the early books along with deeds and surveys. The fact that such records of governance were included in the early books, and the convergence of the offices of provincial secretary and proprietary registrar, undoubtedly may have contributed to the separation of the early books from the possession of the proprietors.

Quit-Rent – A rent paid by the tenant of a freehold (i.e., on purchased property) to the grantor by which the tenant goes quit and free, that is, discharged from any other rent. In proprietary New Jersey, this was at first one half-penny per acre annually, or in some cases one penny per acre for town lands. East Jersey quit-rents were later 6 pence per 100 acres. While quit-rents were required throughout East Jersey, they were never systematically or effectively collected. It is estimated that in 1696, quit-rents were paid by only about 40-50% of the landowners required to pay, yielding only £200 for all of East Jersey. Separate records relating to the collection of quit-rents exist for East Jersey for the 1667-1703 period, but the completeness and usefulness of these accountings is uncertain.

The quit-rent system was not prevalent in West Jersey (only certain proprietors, including Dr. Daniel Coxe, demanded quit-rents). Competition for land sales resulted in this title encumbrance not being required by most West Jersey shareholders in their deeds. Hence, we find no separate quit-rent records for West Jersey.

Road Return – The record of a survey made for a public road, typically mentioning property owners and/or buildings or other landmarks along the right-of-way. A road book for the period ca. 1740-1902 is among the records of the East Jersey Proprietors.

Maps – Both East and West Jersey Proprietors have produced large collections of maps. However, as they tend to be for large areas (including sweep surveys), and settling landowners are not typically shown, they are of limited value for genealogical research. East Jersey's maps are available in original form at the State Archives. West Jersey's are held by the Council of Proprietors in Burlington.

Part VII – How Was Land Acquired?

The procedures for claiming and acquiring title to land were similar in East and West Jersey, but there were minor differences as is reflected in the available records. Also, the processes and policies evolved and/or were altered at different times. Costs to the shareholder or the purchaser were associated with the various steps, including surveying and recording fees. Depending upon the circumstances of settlement, certain steps in the process may have been bypassed or not recorded.

In East Jersey it is more difficult to distill the land distribution process into sequential steps due to the establishment of the original towns in the six areas patented by Governor Nicolls and the headright lands and town lots granted to settlers and their indentured servants. It is also important to note that patents might be granted either before or after tracts were actually surveyed.

To add to the confusion, recordkeeping was not always complete—especially in terms of documenting shareholders' rights in early West Jersey. The West Jersey Society's role in land distribution and the fact that the proprietors in England (of East and West Jersey) frequently acted independently of the proprietors in America, contributed to the incompleteness of the documentation.

While there are no known major losses of records in either the East or West Jersey Proprietors' archives, documentation on specific tracts or rights is often partial. The various steps in the land distribution and acquisition process are shown to provide a basic context to the several key document types. Again, procedures evolved and were altered at different times, and the sequence of the documentation (especially as relates to patents and quit-rents) varies.

West Jersey	East Jersey
Dividend declared by Council; shares of acreage rights apportioned to shareholders.	**Dividend** declared by General Board; shares of land rights apportioned to shareholders.
Shareholder applies for warrant to Council (originally to Commissioners); **warrant** issued if claim accepted.	Shareholder applies for warrant to General Board; **warrant** issued if claim accepted.
Surveyor General or Deputy Surveyor General lays out tract in location of shareholder's choosing; **survey** produced.	Surveyor General or Deputy Surveyor General lays out tract in location of shareholder's choosing; **survey** produced.
Return of survey approved by Council and recorded by Clerk. Recorded return serves as documentation of the severance of title.	**Return of survey** approved by General Board and recorded by Registrar. Recorded return serves as documentation of severance of title.
Deed may be granted to proprietary shareholder.	**Patent** or **deed** may be (or may have been) granted for unsurveyed or surveyed property to proprietary shareholder.
Subsequent **deed** or **lease** may be granted by shareholder to settler.	Subsequent **deed** or **lease** may be granted by shareholder to settler. Annual **quit-rent** often required in deeds during the early period.

Part VIII – Proprietors' Records Available at the New Jersey State Archives

(see also website catalog listing)

NOTE: Many of the record series listed below include indexes, either in the back of each volume or otherwise. A discussion of *major* published abstracts and transcripts, indexes and databases is provided at the end of the series list.

Proprietary-Period Records filed with the Colonial Government:

SSTSE023 Department of State
Secretary of State's Office
Deeds, Surveys and Commissions (Colonial Conveyances), ca. 1650-1856 [141 vols., 38 boxes & 1 mss. folder; 69 reels]
Note: *Selected abstracts to 1703 have been published. See bibliography and discussion of abstracts and indexes below.*

SSTSE033 Department of State
Secretary of State's Office
Wills and Inventories, ca. 1670-1900 [208 vols. & 1,206 boxes; 1,536 reels]
Note: *Abstracts through 1818 have been published. See bibliography and discussion of abstracts and indexes below.*

SEA00001 Governor and Council of East Jersey
Journals, 1674-1703 [2 vols.; 1 reel]
Note: *Published. See bibliography and discussion of abstracts and indexes below.*

East Jersey Proprietors' Records (record group: General Board of Proprietors of the Eastern Division of New Jersey):

PEASJ001 Minutes, 1685-1998 [5.5 vols. & 2 boxes; 4 reels]
Note: *Published through 1794; see bibliography and discussion of abstracts and indexes below.*

PEASJ002 Deeds and Wills, 1665-1951 [22.5 vols. & 5 boxes; 13 reels]

PEASJ003 Surveys and Warrants, 1675-1997 [35 vols. & 42 boxes; 51 reels]
Note: *Indexes and databases available; see below.*

PEASJ004 Road Book, ca. 1740-1902 [1 vol.]

PEASJ005 Quit-Rent Records, 1667-1703 [1 vol. & 2 boxes; 1 reel]

PEASJ006 Romopock Patent Records, 1680s-1800 [1 vol. & 2 boxes; 1 reel]

PEASJ007 Extracts of Proprietary Rights and Title, 1660s-1849 [2 vols. & 2 boxes; 1 reel]

PEASJ008 Dividend Records, 1797-1934 [2 vols. & loose papers]

PEASJ009 Miscellaneous Recorded Documents, 1740s-1998 [4 vols. & 1 box; 2 reels]

PEASJ010 Miscellaneous Records, 1680s-ca. 1950 [21 boxes & 1 large parchment case]

PEASJ011 Maps, 1700s-ca. 1950 [14 map boxes, 5 rolls & 1 folder]

PEASJ012 Proprietary House Construction Records, 1761-1775 [91 manuscripts & 3 facsimiles]

PEASJ013 Account Book, 1771-1843 [0.33 reel]

PEASJ014 General Instructions by the Surveyor General to Deputy Surveyors, 1747 [0.33 reel]

West Jersey Proprietors' Records (record group: Council of Proprietors of the Western Division of New Jersey):

PWESJ001 The Concessions and Agreements of the Proprietors, 1681-1699 [1 reel]
Note: *Published by Leaming and Spicer; see bibliography and discussion of abstracts and indexes below.*

PWESJ002 Warrant and Account Books, ca. 1680s-1754 [1 reel]

PWESJ003 Fee Books, 1764-1815 [1 reel]

PWESJ004 Surveys, 1681-1952 [8 reels]
Note: *Indexes and databases available; see below.*

PWESJ005 Minutes of the Council, 1688-1951 [3 reels]

County and Municipal Records Dating from the Proprietary Period:

CBUCP005 Burlington County
Court of Common Pleas/Court of General Quarter Sessions
Minutes, 1681-1919 [30 vols. & 2 boxes]
Note: *Published through 1709 by Reed & Miller, eds.; see bibliography.*

CCPCL001 Cape May County
Clerk's Office
Deeds, 1692-1901 and Indexes, 1692-1926 [102 reels]

CESCP004 Essex County
Court of Common Pleas
Road Books, 1698-1930 and Index, 1698-1970 [2 vols.; 5 reels]

CESRD001 Essex County
Register of Deeds and Mortgages
Deeds, 1728-1901 and Indexes, 1688-1909 [533 reels]
Note: *Only index survives for earliest county deeds.*

CGLCL... & CGLCP... Gloucester County
Clerk's Office/Court of Common Pleas [approx. 94 reels]
Note: *Various court records, 1680s+.*

CMNCL001 Monmouth County
Clerk's Office
Deeds, 1665-1899 and Indexes, 1667-1929 [383 reels]

CPACL011 Passaic County
Clerk's Office
Perth Amboy Surveys, 1678-1814 [3 reels]

MCHCO001 Chesterfield Township (Burlington County)
Township Committee
Minutes, 1692-1712 [1 vol.; 1 reel]

MNTCO001 Northampton Township (Burlington County)
Township Committee
Minutes, 1697-1824 [1 vol.; 0.2 reel]

Manuscript Collections:

SNJSA001 New Jersey State Archives
Deeds and Miscellanous Land Records, 1677-1947 [10 boxes & 18 map folders]
Note: *Includes original (signed) deeds; see discussion of indexes below.*

Major Published Abstracts and Transcripts, Indexes and Databases – An Annotated List

<u>East AND West Jersey</u>:

Nelson, William, ed. ***Patents and Deeds and Other Early Records of New Jersey, 1664-1703.*** (Baltimore, MD: Genealogical Publishing Co., Inc., 1976 etc.). Originally published as: *Calendar of Records in the Office of the Secretary of State, 1664-1703* [*Documents relating to the Colonial History of the State of New Jersey* a.k.a. *New Jersey Archives, First Series, Volume XXI*]. (Paterson: 1899). This volume contains abstracts from the bulk of New Jersey's seventeenth-century survey books: ten from East Jersey and twenty-one from West Jersey. The index at the back of the book provides access to the names of bordering property owners in addition to the grantors and grantees. Note that multi-page subsections indexing "Occupations" and "Places, Names of" are inserted into the general index under "O" and "P" respectively, making the use of the index tricky.

Whitehead, William A. et al., eds. ***Documents relating to the Colonial History of the State of New Jersey*** **a.k.a.** ***New Jersey Archives, First Series, Volume I, 1631-1687*** **and** ***Volume II, 1687-1703.*** (Newark, 1880-81). These two volumes contain transcriptions of the earliest documents relating to the founding of New Jersey and its first settlements. Each contains its own index, but both are also indexed by: Ricord, Frederick W. *General Index to the Documents relating to the Colonial History of the State of New Jersey, First Series, in Ten Volumes*. (Newark, 1888).

Nelson, William, ed. ***Calendar of New Jersey Wills, Vol. I, 1670-1730*** [*Documents relating to the Colonial History of the State of New Jersey* a.k.a. *New Jersey Archives, First Series, Volume XXI*]. (Paterson, 1899). The volume contains abstracts of the earliest estate records from East and West Jersey, and an every-name index. Various reprints have appeared in recent decades.

New Jersey Index of Wills, Volumes 1-3. (Originally published in 1912; reprinted by GPC, Baltimore, 1969 etc.). This three-volume set indexes estate records from the 1670s to the year 1900, providing the file and/or book and page reference to the original wills (all held by the State Archives). The index is arranged county by county. Note that the "Unrecorded Wills" and "Addenda" sections at the end of the third volume include many seventeenth-century estates. A statewide index produced by Accelerated Indexing Systems is also available; however, the original county-by-county index may easier to use in terms of finding the documents indexed.

Hartlaub, Robert J. and George J. Miller. "Index to Colonial Conveyances, East & West Jersey, 1664-1794." This unpublished, two-volume set indexes the grantees and grantors in deeds and surveys contained in the East and West Jersey books filed with the Secretary of State. The volumes—copies of which were placed in a small number of New Jersey repositories—supercede an earlier card index. The following information is provided: grantee and grantor (in one alphabetical sequence, showing whether "to" or "from"), book and page reference, date, and location or other explanatory notes. Approximately 112 volumes are indexed, thirty-one of which are abstracted in *Patents and Deeds* ... referenced above.

Commissions Card Index, 1660s-1856. This index is found in the State Archives' Manuscript Reading Room, and provides access to governmental commissions (to public office and military posts) recorded in the colonial deed and survey books.

Guide to New Jersey State Archives / Deeds and Miscellaneous Land Records, 1669-1947. This is an item-level inventory to original deeds and other land records acquired, through donation, purchase or otherwise, by the State Archives and its predecessors. Typically, these documents include an actual (as opposed to recorded) signature or mark of the grantor. The item descriptions are arranged chronologically, and typically include the following information: name of grantor and grantee, date, location, and book and page reference to where the deed is recorded. Note: the collection includes many unrecorded deeds.

East Jersey:

Ricord, Frederick W. & William Nelson, eds. ***Journal of the Governor and Council, Vol. I, 1682-1714*** [*Documents relating to the Colonial History of the State of New Jersey* a.k.a. *New Jersey Archives, First Series, Volume XIII*]. (Trenton, 1890). This is a record of the proceedings of the proprietary executive and his legislative council. The volume includes its own index.

Board of Proprietors of the Eastern Division of New Jersey. ***The Minutes of the Board of Proprietors of the Eastern Division of New Jersey, 1685-1794.*** 4 vols. (Perth Amboy, NJ, 1949-). This four-volume set contains transcribed minutes of the East Jersey Board for the first 110 years of its existence. East volume contains its own index.

Database index to Carteret's Conveyances (Liber II of Surveys), 1672-1738. This recently completed database provides access to the second volume of East Jersey land records, Liber I being covered by the "Index to Colonial Conveyances ..." noted above. Liber II was retained by the proprietors and was therefore not readily accessible to the public until 1998. The book, which has two separately paginated parts, contains surveys and patents dating from the 1672-1738 period. Two printouts are now available in the State Archives' Manuscript Reading Room: one by name, the other by location of property. The database includes the following information for each record: name of grantee (i.e., to whom the survey was made), book and folio reference, location, date, acreage, explanatory notes, and sometimes additional patent and survey references (i.e., from other books or extracts).

Indexes to Books L and O of Surveys, 1682-1714. These two early survey books contain their own indexes and, as is the case with Liber II above, are not covered by the "Alphabetical Index to Surveys ..." discussed below. Book L includes surveys dating from the 1682-1685 period; Book O includes surveys from 1687-1714. References to Books L and O may also be found in the Elizabeth-Town Bill in Chancery (*see below*). Information from the two survey books will eventually be entered into a database to expedite access.

"Alphabetical Index to Surveys in the Office of the General Board of Proprietors of the Eastern Division of the State of New Jersey," 1719-20th c. With the exception of those recorded in the three volumes discussed above—Liber II ("Carteret's Conveyances"), Book L and Book O—all of the surveys recorded in the books retained and/or produced by the East Jersey Proprietors since the eighteenth century are referenced in this master index. Finding the recorded surveys listed is a two-step process: the index is arranged alphabetically by the name of the person to whom the survey was made; it provides page and line references to a three-volume set of Extracts of Surveys. The extract books (numbered 1,2 and 3, but also called Black, Red and Blue) provide the following information for each survey listed: shareholder's name, survey book and page reference, county and acreage, and explanatory notes (a short description of land and/or cross references to related surveys). Extract Book No. 1 ("Black") covers survey books S1 through S12, dating from 1719-1801. No. 2 ("Red") covers survey books S12 through S21, dating from 1800-1835. No. 3 ("Blue") covers survey books S22 and S23, dating from 1836 to the late twentieth century. Extract Books No. 2 & 3 also include reference to the name of the person at whose request the survey was made, that person being the first owner after severance of title from the Board. The master index uses the designations "No 2 R" for references to Extract Book No. 2 (Red) and "No 3 B" for references to Extract Book No. 3 (Blue); references without such a designation are to Extract No. 1 (Black). The page number is given before the "/" and the line number(s) after it. Information from this index and the related extract books will eventually be entered into a database as well.

Database index of loose surveys, 1786-1951. This database was produced after the East Jersey loose surveys were processed (flattened and foldered) in 2002. Loose surveys were not retained by the Proprietors before 1786, and the first years are incomplete. Users of this database, therefore, must remember that it is **not** a comprehensive index of East Jersey's surveys but rather a supplemental resource. Nevertheless, since the loose surveys typically include a drawing of the metes and bounds of

the property surveyed, they are especially helpful when researching the history of a tract's ownership. The database includes the following information: name(s) of persons to whom survey was made, survey book and page reference (i.e., where recorded), acreage, location and date. An alphabetical printout is available in the State Archives' Manuscript Reading Room.

Elizabeth-Town Bill in Chancery and Answer, 1745 & 1751. The bill and answer include tables and maps relating to proprietary rights in Elizabeth-Town and the disputed distribution of land in the Clinker Lot Division. A photocopy of the bill (dated 1745 and printed in 1747) is available in the State Archives' reference book collection. A copy of the published 1751 answer is owned by New Jersey Historical Society in Newark. A list of the signatories to the answer can be found online at www.westfieldhistory.com.

Edsall, Preston W., ed. ***Journal of the Courts of Common Right and Chancery of East New Jersey, 1683-1702.*** (Philadelphia, 1937). This publication provides a history of the court and a record of its proceedings. Prior to the surrender of governance to Queen Anne in 1702 and the establishment of the royal courts, the Court of Chancery had jurisdiction over matters of equity (fairness), including property disputes. A table of cases and an index are included at the end of the volume.

West Jersey:

Leaming, Aaron and Spicer, Jacob eds. ***The Grants, Concessions, and Original Constitutions of the Province of New Jersey. The Acts Passed during the Proprietary Governments, and other Material Transactions before the Surrender Thereof to Queen Anne.*** (Philadelphia, [1758]). See also reprint*: The Grants, Concessions, and original Constitutions …* (Union, NJ: 2002). The published version of the 1676 concessions and agreements does not include the names of those who signed the document as "Proprietors, Freeholders and inhabitants the Province." A recorded copy of the Concessions is included among the deeds, survey and commission books formerly held by the Secretary of State. This record includes over 120 transcribed signatures. The recorded (state) copy is included in both the film reels of the Secretary of State's books and the West Jersey Proprietors' records. The original Concessions book, containing the original signatures of the shareholders and inhabitants is owned by the West Jersey Proprietors and part of their archive in Burlington.

Index to Survey Books, 1681-1952. This volume, available on film and as a photocopy in the State Archives' Microfilm and Manuscript Reading Rooms, serves as a master grantee index to thirty volumes of survey books held by the West Jersey Proprietors in Burlington. The index is arranged by the first letter of the surname, but within each letter the survey books are indexed sequentially. Therefore, each letter of the alphabet typically has thirty subsections. The heading for each subsection notes the name and inclusive dates of the survey book. Use the page reference from this index to go directly to the recorded survey, or first consult the extract volume discussed below to see a fuller description of the tract.

Extract of Survey Books, 1681-1952. This volume provides description of the surveys arranged by survey book and page. In addition to the thirty volumes covered by the Index to Survey Books discussed above, it also includes an extract of Basse's Book of Surveys (1681-1755), which was held by the state from an early date and therefore not included in the Index. Basse's Book is, however, included in the "Index to Colonial Conveyances …" The extract entries, listed book by book, include the following information: page number, name, acreage, county and township (if recorded), date, and "adjoining surveys and descriptive objects." The State Archives' copy of the extract book is available in the Manuscript Reading Room. The donation of this photocopy by the Council of Proprietors, made in the interest of public access, is gratefully acknowledged as is the access to West Jersey Proprietors' bound volumes made possible via microfilm.

Checklist of Available Indexes to Surveys and Deeds

See the annotated list above for detailed information about each of the sources listed below.

EAST AND WEST JERSEY

Incl. Dates	Name of Source	Archives Location(s)
1631-1703	Whitehead et al. *Documents relating to the Colonial History of the State of New Jersey* [a.k.a. *New Jersey Archives*], *Volume I, 1631-1687* and *Volume II, 1687-1703*. Each volume contains its own index; both also indexed by *General Index to the Documents relating to the Colonial History ...*	**Microfilm Reading Room** (reference books): 974.9 A673
1664-1703	Nelson. *Patents and Deeds and Other Early Records of New Jersey...* Back-of-the-book index provides access to names of bordering property owners in addition to grantors and grantees; note multi-page subsections indexing "Occupations" and "Places, Names of" inserted into general index.	**Microfilm Reading Room** (reference books): 974.9 N432.1
1664-1794	Hartlaub & Miller. "Index to Colonial Conveyances, East & West Jersey." Indexes grantors and grantees.	**Microfilm Reading Room** (reference books): 974.9 N5.23
1669-1947	Guide to series *New Jersey State Archives / Deeds and Miscellaneous Land Records*. Item descriptions listed chronologically.	**Manuscript Reading Room** (reference desk)

EAST JERSEY

Incl. Dates	Name of Source	Archives Location(s)
1672-1738	Database index to Carteret's Conveyances (Liber II of Surveys). Two printouts available: one by name, the other by location. Provides book and page references.	**Manuscript Reading Room** (reference desk)
1682-1714	Indexes to Books L and O of Surveys. These two volumes are not indexed elsewhere.	**Manuscript Reading Room** (reference desk); **Microfilm Reading Room** (microfilm cabinet #8)
1685-1794	Board of Proprietors ... *The Minutes of the Board of Proprietors of the Eastern Division of New Jersey* ... 4 vols. Include references to grants, allotments, survey warrants, etc.	**Microfilm Reading Room** (reference books): 974.91 B662
1719-20th c.	"Alphabetical Index to Surveys in the Office of the General Board of Proprietors of the Eastern Division of the State of New Jersey." Provides page/line references to Extract Books No. 1, 2 & 3. Extract books provide book and page references to survey books.	**Manuscript Reading Room** (reference desk); **Microfilm Reading Room** (microfilm cabinet #8)
1786-1951	Database index of loose surveys. Alphabetical printout available. Note that this is **not** a comprehensive index to recorded surveys, even for this time period.	**Manuscript Reading Room** (reference desk)

WEST JERSEY

Incl. Dates	Name of Source	Archives Location(s)
1681-1952	Index to Survey Books. Indexes grantees (to whom survey was made) volume by volume within surname initial letter.	**Manuscript Reading Room** (reference desk); **Microfilm Reading Room** (microfilm cabinet #8)
1681-1952	Extract of Survey Books. Provides description of the surveys arranged by survey book and page.	**Reference Office**

Part IX – Legal, Obscure and Archaic Terms found in Ancient Land Records

Based on: *Black's Law Dictionary: Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern* (Revised Fourth Edition, 1968) and other sources.

Acre (or **English Acre**) – A unit of area equal to 43,560 square feet. *See* **Chain** *and* **Rod** *below*. An acre equals ten square chains or 160 square rods. A square mile is 640 acres.

Acreage Right (or **Land Right**) – The share of a land division proportional

Administrator, Administratrix (often abbreviated **Adm^{r}**) – The person to whom authority to administer and dispose of the estate of a deceased person has been granted by the appropriate court. *Compare with* **Executor**.

Alien (or **Aliene**, **Alienate**) – To transfer or make over to another; to convey.

Allowances – A deduction of acreage reserved for a specific purpose, such as a public road, highway or right-of-way. In colonial New Jersey, the **King's Highways** were by law to be six rods (ninety-nine feet) in breadth. If a highway was a property boundary (which was typical), then the allowance would be half this measure, or 49.5 feet.

Appurtenances – That which belongs to something else, as in the rights of way, outbuildings, gardens and orchards, etc., belonging to a property.

Assigns (or **Assignees**) – Those to whom property or a right has been transferred (as compared to heirs, who hold hereditary rights).

Associates – In early New Jersey, a group of settlers and/or landowners (such as in Elizabeth-Town) who corporately administer local land distribution, etc. *See also* **Charter**, **Corporation**.

Attachment – The act or process of seizing property by judicial order and bringing the same into the custody of the law. *See also* **Lien**.

Bequeath (or **Devise**) – To give property to another by will. Technically, "bequeath" is used for personal property and "devise" is used for real property.

Bequest (or **Devise**) – Something bequeathed (or devised); see **Legacy**.

Bondsman – *see* **Surety**.

Caveat – Latin for "let him beware." Relative to property records, a warning and written notice that surveyed land was previously appropriated (i.e., is already owned), resulting in a **resurvey**. *See also* **Certificate of Mislocation**.

Certificate of Mislocation – Following a **resurvey** of lands (*see* **Caveat** *above*), a certificate documenting that an earlier survey was proven to contain acreage previously appropriated and crediting the deficient acreage back to the person with the inferior (later) title.

Chain – A measure used by surveyors, typically being twenty-two yards (sixty-six feet) in length. The meaning derives from the (100-link) measuring chains used by surveyors. An area one chain wide by ten chains long equals an **acre** (*see above; see also* **Link**). The use of "chain" can vary by region and time period. Early land descriptions in West Jersey are known to use "chain" to mean a measure of two rods (thirty-three feet) as opposed to four rods.

Charter – A legal instrument by which a sovereign power assures certain rights, liberties or powers. In early New Jersey, charters were granted by the governor to the settlers of new towns. See also **Associates**, **Corporation**.

Concession – A grant of privileges by the government.

Condemnation – The process by which the property of a private owner is taken for public use without his consent, i.e., by forced sale.

Confirmation (or **Confirmatory Grant**, **Confirmatory Patent**) – A conveyance of property to ensure **title** (*see below*), given when a previous conveyance of title is or might be questionable or voidable.

Consideration – The cause, motive, price, or impelling influence which induces a contracting party to enter into a contract or transaction. Typically, the sale price paid by the grantee to the grantor; sometimes "love and affection" for a family member.

Conveyance – *see* **Deed**.

Corporation – In early New Jersey, an incorporated municipality. See also **Associates**, **Charter**.

Deed (or **Conveyance**, **Indenture**) – A signed writing whereby title to property is transferred from one to another. Under normal circumstances, deeds will contain only the signature of the grantor (seller). "Indenture" is derived from the practice of cutting or indenting the edges of multiple copies of the document (so they would tally with each other) in instances where the conveyance was from multiple persons. *See Part VI.*

Devise – *see* **Bequeath**.

Devisee – The person to whom lands or other real property are devised or given by will.

Distrain – To take, as a pledge, property of another and keep it until he performs his obligation or until the property is taken by the sheriff. *See also* **Foreclose**, **Replevin**.

Dividend – The share allotted to each of several persons entitled to part of a division of profits or property. *See Part VI.*

Division – *see* **Partition**.

Dower – The provision which the law makes for a widow out of the lands or tenements of her husband, for her support and the nurture of her children.

Easement (or **Right-of-Way**) – The right of one person or body to use the land of another person for a special purpose.

Ejectment – A legal action to recover possession of land as well as damages resulting from not being able to possess it. *See also* **Eviction**, **Richard Roe**, **Trespass**.

Eviction – The act of dispossessing a person of lands (in pursuance of a court judgment).

Enfeoff – To make a gift of tangible inherited property; to invest with a property or fee.

Equity – The monetary value of a property beyond any mortgage debt or liabilities existing on it (*see* **Mortgage**, *etc., below*).

Estate – The nature and extent of an owner's rights with respect to his or her property. Also, all of one's possessions, especially all of the property and debts left by a deceased person.

Et Al(ii) – Latin for "and others."

Et Cetera (abbreviated **etc.** or **&c**) – Latin for "and the rest"; used in land records to omit lengthy and/or repeated legal text, well-known titles of honor, and so on.

Et Ux(or) – Latin for "and wife."

Executor, **Executrix** (often abbreviated **Ex^{r}**) – The person appointed to carry out the directions and requests made in a last will and testament, including the disposition of property. *Compare with* **Administrator**.

Fallow Land – Barren or unproductive land; land plowed but not sown or left uncultivated/untilled for a year or more.

Fathom – Typically a nautical measure of six feet in length; however, occasionally used as a land measurement meaning a square fathom or thirty-six square feet.

Fee (also **Feud**, **Fief**) – A property or estate of inheritance. See also **Enfeoff**.

Fee Simple – A condition in which the owner is entitled to the entire property with unconditional power of disposition during his life; property clear of any condition or restrictions to particular heirs is held in fee simple.

Foreclose – To terminate the rights of a mortgagor in the property covered by the mortgage (*see* **Mortgage***, etc., below; also* **Distrain**, **Replevin**).

Franchise – A special privilege conferred by the government (on an individual or corporation) which does not belong to citizens generally in the common right. *See also* **Patent**.

Freehold – An estate in land or other real property of uncertain duration (i.e., for life or in fee simple); ownership, as compared to a leasehold.

Freeholder – Originally, a person having title to real property or a specified number of acres.

Furlong – A unit of length equal to 660 feet, or 40 **rods**/**perches** (*see below*). Derived from "furrow long," meaning the distance that an can plow before being rested and turned.

Gore – In old English law, a small, narrow strip of land. Modern usage applies to small, triangular pieces of land such as may be left between surveys and boundary lines which do not meet/close.

Grantee – The person(s) to whom a grant (sale) is made; i.e., the buyer.

Grantor – The person(s) by whom a grant (sale) is made; i.e., the seller.

Habendum – The portion of a land conveyance beginning with the words "To have and to hold ...," being the language that defines the extent of the ownership of the property.

Hawkings – Business or peddling rights belonging to a property.

Headlands – *see* **Upland**.

Headright – A grant of property given in fulfillment of certain conditions relating especially to settlement and developing land.

Heir – A personally legally recognized to succeed to the property of another person; one who inherits property.

Hereditament – Something inherited or capable of being inherited. *See also* **Inheritance**, **Legacy**.

Highways – *see* **Allowances**.

Houselot, **Homelot** – A property containing a dwelling house, typically within a town settlement, as compared to outlying **meadow** (*see below*). *See also* **Messuage**.

Huntings – Hunting rights belonging to a property.

Husbandman – A farmer; originally a tenant who cultivates *leased* ground.

Improved Land – Land used for the purpose of husbandry whether **tillage**, **meadow** or **pasture** (see definitions).

Indenture – *see* **Deed**.

Inheritance – Something that has descended to an heir, whether by will or otherwise. *See also* **Hereditament**, **Legacy**.

John Doe, John Den, John Stiles, Richard Roe, Richard Fen, Richard Miles – Fictitious names used to represent unknown persons in legal proceedings for the purpose of making argument or illustration. Often used in ejectment cases when the plaintiff's lessee or other party is unknown or uncertain.

Joint Tenancy – *see* **Tenancy**.

Kill – Dutch for small river or creek.

King's Highways – *see* **Allowances**.

Land Warrant – *see* **Warrant**.

Landmark – A survey mark or **monument** set in a property line to fix its boundary or the boundary between properties. In colonial surveys, these were frequently piles of stones or marks made on trees.

Lease – Any agreement which gives rise to the relationship of landlord and tenant.

Leasehold – An estate in realty held under a lease; i.e., the right of a tenant for a fixed period of time (as compared to a freehold).

Legacy (or **Bequest**) – Something disposed of specifically by will, as compared to any inheritance as a legal heir.

Legatee – The person to whom a legacy is given. A **residuary legatee** inherits the residue or remainder of an estate after all other legacies are disposed of.

Lessee – The person (tenant) to whom a lease is made.

Lessor – The person who grants a lease; i.e., the owner of the property (landlord).

Letters of Administration, Letters Testamentary (or sometimes **Letters Testimonial**) – Legal papers granted by a court to either the **Administrator** or **Executor** (*see above*) of an estate, respectively.

License – A grant of permission, e.g. to pursue a business. The term is also occasionally used in early New Jersey land records relative to permission to make a purchase, including a purchase of territory from the Indians.

Lien – A charge or claim for payment of debt or obligation attached as an incumbrance on a property. See also **Attachment**.

Life Rights or **Life Estate** – Property ownership whose duration is limited to the natural life of the party holding it.

Link – One hundredth of a chain; i.e., 7.92 inches.

Manucaptor (or **Mainpernor**) – A person obligated to appear (in court) on behalf of someone under arrest. Similar to bail.

Marsh (sometimes "**Marrish**") – An area of low-lying wet land.

Meadow (or **Lowland**) – A tract of low or level land yielding grasses which are good for hay. *See also* **Upland**.

Messuage – A dwelling house with its outbuildings and adjoining lands.

Metes and Bounds – The boundary lines of land with their distances and angles.

Mislocation – see **Certificate of Mislocation**.

Moiety – One equal half part of a property (whether partitioned or not). Two joint tenants each hold a moiety.

Morgen – A German and Dutch measure of land equating to roughly two English **acres** (*see above*); used frequently in the Bergen settlement in East Jersey.

Mortgage – A conveyance intended to secure the performance of some act (usually the payment of money) and to become void when prescribed terms (e.g., the repayment of loaned money) are satisfied. Typically, this means temporary/partial ownership by the lender, who may take title to the property if the terms of the mortgage are not satisfied as prescribed.

Mortgagee – The person who takes or receives a mortgage; i.e., the one who is granted temporary/partial ownership of the property until the terms are met.

Mortgagor – The person who, having all or some part of the title to a property, by written instrument pledges that property for some particular purpose (e.g., to borrow money).

Neck – A narrow stretch of land (as an isthmus, cape, promontory or mountain pass); also, a narrow body of water between two larger bodies, i.e., a strait.

Order – A directive from a court or other authority to perform an action (e.g., a directive from a proprietary board to issue a dividend or grant a warrant). *See Part VI.*

Ordinary – A judicial officer with powers in regard to wills, probate, administration, guardianship, etc. In colonial New Jersey, the governor was called the Ordinary General. An ordinary also means a tavern or eating house where regular meals are served.

Partition (or **Division**) – The dividing of land held by joint tenants (owners) so that they may hold and dispose of their respective parts separately. "Partition" is typically used to refer to a voluntary, not mandated, dividing of property whereas "division" is more frequently used to refer to a parceling of property by commissioners appointed by a court. However, the two terms are often used interchangeably.

Pasture – Ground for the grazing of domestic animals, and including the grass growing upon it.

Patent – A grant of a privilege, property, right or authority made to one or more individuals by the government or sovereign entity. *See Part VI; see also* **Franchise**.

Patroon – The proprietors of certain manors established in the Dutch colony of New Netharland.

Per Stirpes – The standard method of inheritance and division of property, meaning "by root or stock," whereby the shares of the heirs are based on the share which a predeceased ancestor (typically parent) would have inherited as compared to equal division among living heirs. In other words, if a property is bequeathed to four children and one dies, the heirs of the deceased child divide a fourth part as opposed to having a share equal to the three heirs in the older generation.

Perch – *see* **Rod**.

Plantation – A large cultivated estate.

Plat – see **Survey**.

Planter – A farmer; owner of a plantation.

Pole – *see* **Rod**.

Propriety – Property, or a share of property along with the shareholder's rights. *See Part VI.*

Quitclaim (or **Release**) – A discharge of claim or title to a property. The grantor of a quitclaim releases and transfers interest in the property, but does not represent that he/she has a right to it.

Quit-rent – A rent paid by the tenant of a freehold (i.e., on purchased property) to the grantor by which the tenant goes quit and free, that is, discharged from any other rent. *See Part VI.*

Release – *see* **Quitclaim**.

Replevin – An action brought to recover property unlawfully taken. *See also* **Distrain**, **Foreclose**.

Residuary Legatee –*see* **Legatee**.

Resurvey – *see* **Caveat**, **Certificate of Mislocation**.

Return of Survey – *see* **Survey**.

Richard Roe, Richard Fen, Richard Miles – *See* **John Doe**, etc.

Right-of-Way – *see* **Easement**.

Riparian – Relating to land under water or below the high tide line.

Road Return – The record of a survey of the right-of-way for a public road, typically mentioning property owners and/or buildings or other landmarks.

Rod (or **Perch**, **Pole**) – A lineal measure of 16.5 feet; four rods equals one **chain** (*see above*). All three terms are sometimes used to mean a square rod, which is $1/160^{th}$ of an acre or 272.25 square feet of land.

Rood – A unit of area usually equal to 1/4 acre.

Seisin (or **Seizin**) – Right to immediate possession (in accordance with the nature of the property).

Stirpes – *see* **Per Stirpes**.

Surety (or **Bondsman**, **Fellow Bondsman**) – One who undertakes to pay money or to do any other act in the event that the principal party responsible fails to do so. Similar to the co-signor of a loan.

Survey – The process by which a parcel of land is measured and its contents ascertained, and the resulting document (also called a **plat** or **plot**) recording the boundaries and quantity of land. A **return of survey** is a certificate issued in fulfillment of a warrant or claim for an allotment of land. *See Part VI*.

Survivorship – When a person becomes entitled to property by surviving another person (e.g., a spouse) who had an interest in it.

Tenant – One who holds or possesses lands or tenements by any kind of right or title, whether in fee, for life, for years, at will, or otherwise.

Tenancy – The estate of a tenant. "Joint tenancy" is an estate arising from the purchase by or grant to two or more persons. "Tenancy in common" means that each tenant has a right to occupy the whole in common with his co-tenants. A joint tenant can acquire the interest of the other joint tenant by right of survivorship (see above); however, tenants in common do not have this right.

Tenement – Property held by a tenant; everything of a permanent nature on a property. Typically used to mean houses and other buildings.

Testament – A disposition of personal.

Testate – Having died leaving a testament and last will.

Testator, Testatrix – One who makes or has made a testament or last will.

Tillage – Cultivated or tilled land. Compare with **Fallow Land**.

Title – The right to or ownership in land; the means whereby the owner of lands has legal possession of his property.

Town Grant, **Town Lot**, **Townlands** – Lands granted within a planned settlement or additional lands granted to established settlers. In early New Jersey settlements, town lots contained a few acres and a proportion of meadow land was granted to each settlers outside the town. *See also* **Headright**.

Trespass – Doing an unlawful act or lawful act in an unlawful manner to the injury/damage of another person or his property (see also **Ejectment**).

Unappropriated (or **Undiscovered**) **Land** – Land for which there has been no severance of title from the proprietors.

Undivided Right – A right or title held by two or more tenants in common or joint tenants before partition; a right held jointly (by the same title), whether equal or unequal in value or quantity.

Upland (or **Headlands**) – The higher part of a region or tract (see also **Meadow**).

Venue (or **Visne**) – The geographical division (neighborhood, place or county) where an injury is declared to have been done or fact declared to have happened.

Vendue – A sale, generally at public auction.

Warrant (or **Land Warrant**) – An authority to lay out a parcel of land in compensation for a claim or right (e.g., of a proprietary shareholder), or a part thereof. *See Part VI*.

Yeoman – In English law, a commoner; a freeholder under the rank of gentleman.

Part X – Case Studies

East Jersey:

Thomas Bloomfield

- References from "Index to Colonial Conveyances ..."
- Woodbridge Quit-Rent Account, 1670-1683

Reynolds Family

- Will of John Reynolds of New Brunswick, 1766
- Will of William "Ronald" (Ranald) of Freehold, 1709
- 1688 East Jersey land transactions from published *Patents and Deeds ...*
- 1687 petition of "Scotch Proprietors' servants" from published East Jersey minutes
- 1684 list of Scottish servants indentured for four years from East Jersey Deed Book A, p. 154

West Jersey:

Rogers Family

- Will of Alice Carter, 1694
- Deed of John Rogers Sr., executor of Alice Carter, to Mathew Clayton, 1694
- Pedigrees showing John Rogers of Burlington City as son of John Rogers Sr. of Nottingham
- 1712 sale by John Rogers Jr. of Nottingham of a fractional share of West Jersey purchased by his father John Rogers Sr. in 1683
- West Jersey Council minutes ordering warrant for John Rogers Jr., 1714
- West Jersey account book showing activity on John Rogers' account, 1714-1767
- Amos and Abraham Rogers' survey by right of conveyance from their father John, 1767
- Estate inventory of Amos Rogers of Nottingham Township, 1807
- 1928 Schoonover correspondence relating to the origin of John Rogers of Burlington City

Sybilla (Buckworth) Clayton

- John Rogers Sr., executor of Alice Carter, to Mathew Clayton, 1694
- Sketch of property granted to Mathew Clayton in 1694
- 1727 will of Nathaniel Leonard of Trenton bequeathing "Sybal's Plantation"

Roberts Family

- Published abstract of Jonathan Roberts' will mentioning six daughters and wife with child, 1721
- Abstract of will of Mary Roberts of Trenton mentioning six daughters, 1740
- Original 1720 will of Jonathan Roberts showing bequest of all lands and tenements to unborn child if a boy
- Survey to Ralph Hart, Richard Furman and Nicholas Roberts, 1745

Part XI – Bibliography

NOTE: The following bibliography is **not** a comprehensive list of available published genealogical sources for New Jersey's proprietary period. The books and articles listed below relate to the history of the proprietors, abstracted land and estate records, colonial disputes over governance and property rights, and/or the earliest settlement of East and West Jersey. Published church records (including marriages and baptisms), for example, are not included.

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Kiernan, Mary Ann. *The Monmouth Patent, Part II*. (Red Bank, NJ, c. 1987-1993).

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