

## Question 18 Treaties: the text

Al, notice by these documents that lawful money was demanded, the king granted the land to the proprietors and it was later given back to the king. Also, notice one of the proprietors was chancellor of the Exchequer, and that the land and the minerals was granted to them and returned to the king. Proving the minerals would have to be granted to the states, in the 1783 Paris Peace Treaty.

I hope others can read this and understand just as we have been telling them we continue to pay the king his annual 30 per. and as the contract of 1782 makes clear, includes loaned money to the U.S.. Ask yourself, why would a country that was supposedly defeated and run out of a country, which it owned loan money to the belligerents, within a couple years of the conflict? If others have any knowledge of interest/usury and how it conquerors, they will understand what we have been telling them for a couple of years now.

James

The Act of Surrender of the Great Charter of New England to His Majesty : 1635

To all Christian People to whom this present writing shall come:

The President and Council established at Plymouth in the County of Devon, for planting, ruling, and governing of New England in America, send Greeting, in our Lord God everlasting.

Whereas our late Sovereign Lord King James, of ever blessed memory, by his Highness Letters Patent under the Great Seal of England, bearing date at Westminster, the third day of November, in the eighteenth year of his Majesty's reign of England, France, and Ireland, and of Scotland the four and fiftieth: Upon the motives, reasons, and causes in the said Letters Patents mentioned and contained, did for him, his heirs, and successors, grant, ordain, establish, and confirm his then right trusty and right well beloved Cousins and Councillors Lodowick then Duke of Lenox, Lord Steward of his Household, George then Marquess of Buckingham then High Admiral of England, James then Marquess of Hamilton, William then Earl of Pembroke and then Lord Chamberlaine of his Household, who are since deceased; Thomas, now Earl of Arundell, and divers others of his Nobility and Gentry of this realme of England, therein named, to be the first and present Councill established at Plymouth aforesaid, for the planting, ruling, and governing of New England in America aforesaid: And then the said then Duke of Lenox, Marquess of Buckingham, Marquess of Hamilton, Earl of Pembroke, and Earl of Arundel, and the said others of the Nobility and Gentry therein named, and the survivors of them and their successors, to be elected as in the said Letters Patents is expressed, did by the said Letters Patents incorporate, erect, ordain, name, constitute, and establish to be one body politick and corporate, in Deed and Name, by the Name of the Council of Plymouth aforesaid, in the said County of Devon, for the planting, ruling, and governing of New England in America aforesaid, To have perpetual succession, with divers other powers, priviledges, immunities, provisions, and restrictions, for the propagation and establishing of true Religion in those parts, and for the better regulating of the same plantations, as in and by the said Letters Patents, do Reference Thereunto had more plainly and at large appeareth. Now Know ye that, the said President and Council, for divers good causes and considerations them thereunto moving, have given, granted, assigned, yielded up, and surrendered, and by these presents do give, grant, assign, yield up and surrender unto our most gracious Sovereign Lord Charles by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, the said Letters Patents to the Duke of Lenox, Marquess of Buckingham, Marquess Hamilton, William Earl of Pembroke, Thomas Earl of Arundel, and to the rest of the Nobility and Gentry of this Kingdom therein named, for the planting, ruling, and governing of New England in America aforesaid, and all and every the liberties, licenses, powers, priviledges and authorities therein and thereby given and granted, or mentioned to be given and granted, and all their and every their right, estate, title, interest, claim, demand whatsoever of, in, and to the same Letters Patents, licenses, powers, priviledges, and authorities, and of, in and to, every or any parcell of them or any of them. In Witness whereof the said President and Council have caused their common Seal to be put to these presents, the seventh day of June in the eleventh year of the reign of our Sovereign Lord King Charles, and in the year of our Lord God, One thousand six hundred and thirty-five.

Source: The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America. Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe Washington, DC : Government Printing Office, 1909.

His Royal Highness's Grant to the Lords Proprietors, Sir George Carteret, 29<sup>th</sup> July, 1674

This Indenture made the ninth and twentieth day of JULY, in the twenty and sixth year of the reign of our Sovereign Lord, Charles the Second, by the grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, &c. Anno Domini, one thousand six hundred seventy-four. Albany, Earl of Ulster, Lord High Admiral of Scotland and Ireland, of the one part, and Sir George Carteret of Saltrum in the County of Devon, Knight, Vice Chamberlain of his Majesty's household of the other part. WHEREAS his Majesty King Charles the Second, by his Letters Patent, under the Great Seal of: England, bearing date the twenty-ninth day of June, in the twenty-sixth year of his said Majesty's reign, did for the consideration therein mentioned, give and grant unto his said Royal Highness James Duke of York, his heirs and assigns, all that part of the main land of New England, beginning at a certain place called or known by the name of St. Croix next adjoining to New Scotland, in America; and from thence extending along the sea coast unto a certain place called Pemaquine or Pemaquid, and so up the river thereof to the furthest head of the same as it tendeth northward; and extending from thence to the river Kenebeque, and so upwards by the shortest course to the same commonly called by the several name or names of Mattowacks or Long Island, situate and being towards the west of Cape Codd and the Narrow Higansetts, abutting upon the main land between the two rivers there, called or known by the several names of Connecticutt, and Hudson's river; together also with the said river called Hudson's river, and all the lands from the west side of Connecticutt river to the east side of Delaware bay: And also several other islands and lands, in the said Letters Patent mentioned, together with the rivers, harbors, mines, minerals, quarries, woods, marshes, waters, fishing, hawking, hunting, and fowling, and all other royalties, proffits, commodities and hereditaments to the said several islands, lands and premises belonging or appertaining, to have and to hold the said lands, islands, hereditaments and premises, with their and every of their appurtenances, unto his said Royal Highness James Duke of York, his heirs and assigns for ever; to be holden of his said Majesty, his heirs and successors as of the manner of East Greenwich in the County of Kent, in free and common soccage, yielding and paying to his said Majesty his heirs and successors of and for the same, yearly and every year, forty beaver skins, when they shall be demanded, or within ninety days after; with divers other grants, clauses, provisoes, and agreements in the said recited Letters Patents contain'd, as by the said Letters Patents, relation being "hereunto had, it doth and may more plainly appear. Now this indenture witnesseth, that his said Royal Highness James Duke of York, for and in consideration of a competent sum of good and lawful money of England to his Royal Highness in hand paid by the said Sir George Carteret, before the ensealing and delivery of these presents, the receipt whereof his said Royal Highness James Duke of York, doth hereby acknowledge, and thereof doth acquit and discharge the said Sir George Carteret, his heirs and assigns for ever by these presents, hath granted, bargained, sold, released and confirmed, and by these presents doth grant, bargain, sell, release and confirm unto the said Sir George Carteret, his heirs and assigns for ever, all that tract of land adjacent to New England, and lying and being to the westward of Long Island and Manhitas Island, and bounded on the east part by the main sea, and part by Hudson's river, and extends southward as far as a certain creek called Barnegatt, being about the middle, between Sandy Point and Cape May, and bounded on the west in a strait line from the said creek called Barnegatt, to a certain Creek in Delaware river, next adjoining to and below a certain creek in Delaware river called Renkokus Kill, and from thence up the said Delaware river to the northermost branch thereof, which is forty-one degrees and forty minutes of latitude; and on the north, crosseth over thence in a strait line to Hudson's river, in forty-one degrees of latitude; which said tract of land is hereafter to be called by the name or names of New Caeserea or New Jersey: And also all rivers, mines, minerals, woods, fishings, hawking, hunting, and fowling, and all royalties, profits, commodities, and hereditaments whatsoever, to the said lands, and premises belonging or appertaining; with their and every of their appurtenances, in as full and ample manner as the same is granted unto the said James Duke of York, by the before recited Letters Patents; and all the estate, right, title, interest benefit, advantage, claim and demand of the said James Duke of York of in and to the said lands and premises, or any part or parcel thereof, and the reversion and reversions, remainder and remainders thereof: All

which said tract of land and premises were by indenture, bearing date the day before the date hereof, bargain'd and sold by the said James Duke of York, unto Sir George Carteret, for the term of one whole year to commence from the eighth and twentieth day of July next before the date hereof, under the rent of one pepper corn, payable as therein is mentioned as by the said deed more plainly may appear:

By force and virtue of which said indenture of bargain and sale, and of the statute made for transferring of usses into possession, the said Sir George Carteret, is in actual possession of the said tract of land and premises, and enabled to take a grant and release thereof, the said lease being made to that end and purpose, to have and to hold all and singular the said-tract of land and premises; with their, and every of their appurtenances, and every part and parcel thereof, unto the said Sir George Carteret, his heirs and assigns to the only behoof of the said Sir George Carteret his heirs and assigns for ever; yielding and paying therefore unto the said James Duke of York, his heirs and assigns, for the tract of land and premises, yearly the sum of twenty nobles of lawful money of England, if the same shall be lawfully demanded at or in the Inner Temple Hall, London, at the feast of St. Michael the Arch Angel yearly. And the said Sir George Carteret for himself, his heirs, and assigns, doth covenant and grant to and with the said James Duke of York, his heirs and assigns by these presents, that he the said Sir George Carteret, his heirs and assigns, shall and will well and truly pay or cause to be paid unto his said BoyalHiness James Duke of York, his heirs and assigns, the said yearly rent of twenty nobles at such time and place, and in such manner and formulas before in these presents is express'd and declared. Provided always and upon this condition, that the said Sir George Carteret do cause a copy of this Grant and demise to be entered with the auditor of his said Royal Highness, within one month next after the execution of this present grant and demise. IN WITNESS WHEREOF the parties to these presents have interchangeably set their hands and seals, the day and year first above written. Sign'd.

*JAMES.*

Source:

The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America/ Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe Washington, DC : Government Printing Office, 1909.

Duke of York's Confirmation to the 24 Proprietors:

14<sup>th</sup> of March 1682 (1)

THIS INDENTURE made the fourteenth day of March, in the five and thirtieth Year of the reign of our Sovereign Lord Charles the Second, by the Grace of God of England, France and Ireland, King, Defender of the Faith, &c. Anno Domini 1682. Between his Royal Highness the most illustrious Prince James, Duke of York and Albany Earl of Ulster, &c. only brother to our Sovereign Lord the King, of the one part, and the Right Honourable James Earl of Perth, of the kingdom of Scotland; the Honourable John Drummond, of Lundy, in the said kingdom of Scotland, Esq.; Robert Barckly, of Eury, in the said kingdom of Scotland, Esq.; David Barckly, jun. of Eury, aforesaid, Esq.; Robert Gordon, of Cluny, in the kingdom of Scotland, Esq.; Brent Sonmans, of Wallingford, in the kingdom of Scotland, Esq; William Penn, of Worminghurst, in the County of Sussex, Esq; Robert West, of the Middle Temple, London, Esq; Thomas Rudyard, of London, gentleman; Samuel Groome, of the parish of Stepney, in the county of Middlesex, marriner; Thomas Hart, of Enfield, in the said county of Middlesex, merchant;

Richard Mew, of Stepney, aforesaid, merchant; Ambrose Rigg of Catton Place, in the county of Surry, gentleman; Thomas Cooper, citizen and merchant taylor, of London; Gawn Lawry, of London, merchant; Edward Billinge, of the city of Westminster, in the county of Middlesex, gentleman; James Braine, of London, merchant; William Gibson citizen and haberdasher, of London; John Haywood, citizen and skinner, of London; Hugh Hartshorn, citizen and skinner, of London, Clement Plumstead, citizen and draper, of London; Thomas Barker, of London, merchant; Robert Turner, of the city of Dublin, in the kingdom of Ireland, merchant; and Thomas Warne, of Dublin, aforesaid, in the said kingdom of Ireland, merchant, of the other part. WHEREAS our said Sovereign Lord the King's Majesty, in and by his Letters Patent, under the great seal of England, bearing date the twelfth day of March, in the sixteenth year of his said Majesty's reign, did amongst other things therein mentioned, give and grant unto his Royal Highness James Duke of York, his heirs and assigns, all that tract of land adjacent to New England, in the parts of America, and lying and being to the westward of Long Island and

Manhattas Island, and bounded on the east part by the main sea; and east by Hudson's river; and extendeth southward to the main ocean as far as Cape May, at the mouth of the Delaware bay; and to the northward as far as the nothermost branch of the said bay or river of Delaware, which is in one and forty degrees and forty minutes of lattitude, and crossing over thence in a straight line to Hudson's river, in one and forty degrees of lattitude; which said tract of land was then after to be called by the name of New Caesarea or New Jersey, with all the lands, islands, soils, rivers, mines, minerals, quarries, woods, marshes, waters, lakes, fishings, hawkings, buntings, and fowlings, and all other royalties, profits, commodities and hereditaments, unto the said premises belonging and appertaining, with their and every of their appurtenances: and all his said Majesty's estate, right, title, interest, benefit, advantage, claim and demand of, in and to the same premises, or any part or parcel thereof, and the reversion and reversions, remainder and remainders, together with the yearly and other rents, revenues and profits of the same, and of every part and parcel thereof, to hold unto his said Royal Highness the said James, Duke of York, his heirs and assigns forever; to be holden of his said Majesty, his heirs and successors, amongst other the things therein granted, as of his Majesty's mannor of East Greenwich, in his Majesty's county of Kent, in free and common soccage, and not in capite or knight service, under the yearly rent therein mentioned. AND WHEREAS his said Royal Highness James, Duke of York, did heretofore by several good and sufficient conveyances and assurances under his hand and seal duly executed, the twenty-third and twenty-fourth days of June, in the sixteenth year of his said Majesty's reign, for the consideration therein mentioned, grant and convey the said tract of land and premises before mentioned, to John Lord Berklely, baron of Stratton, and one of his Majesty's most honourable Privy Council, and Sir George Carteret, of Salterem, in the county of Devon, knight and baronet, and one other of his Majesty's most honourable Privy Council, and their heirs, the said tract and premises before particularly mentioned, and the reversion and reversions, remainder and remainders of the same, to hold unto the said John Lord Berkeley and Sir George Carteret, their heirs and assigns for ever, under the yearly rent of twenty nobles sterling, payable as the same is therein reserved to be paid. AND WHEREAS his said Majesty did by other his Letters Patents, dated the twenty-ninth day of June in the six and twentieth year of his said Majesty's reign, grant and convey unto his said Royal Highness, and his heirs forever, as well the said tract of land and premises hereinbefore recited to have been granted and conveyed by his said Royal Highness, unto the said John Lord Berkeley and Sir George Carteret as aforesaid, as all other the lands and hereditaments in and by the said herein first before recited Letters Patents granted, or rmentioned to be granted. AND WHEREAS his said Royal Highness by his indenture of lease and release, bearing date the of July, in the six and twentieth year of his Majesty's reign, did grant and convey the said tract of land and premises, to the said Sir George Carteret, Iris heirs and assigns, as by the said indenture, relation being thereunto had, may appear. AND WHEREAS upon a partition made of the whole and entire premises, between the said Sir George Carteret and William Penn, of Worminghurst, in the county of Sussex, Esq; Gawn Lawry, of London, merchant; Nicholas Lucas, of Hertford, in the county of Hertford, malster; and Edward Byllynge, of Westminster, in the county of Middlesex, gentleman; in whom the fee simple of the said Lord Berkeley's, undivided moyety, of all and singular the premises, by good and sufficient conveyances, was then vested the said William Penn, Gawn Lawry, Nicholas Lucas, and Edward Byllynge, did bargain, sell, release and confirm unto the said Sir George Carteret, his heirs and assigns, all that easterly part, share and portion, and all those easterly parts, shares and portions of the said whole and entire tract of land and premises before mentioned, extending eastward and northward along the sea coasts, and the said river called Hudson's river, from the east side of a certain place or harbour, lying on the southerly part of the same tract of land, and commonly called or known in a map of the said tract of land, by the name of Little Egg Harbour, to that part of the said river called Hudson's river, which is in forty-one degrees of lattitude, being the northermost part of the said tract of land and premises, which is bounded by the said river; and crossing over from thence in a straight line, extending from that part of Hudson's river aforesaid, to the nothermost branch of the aforementioned river called Delaware river, and to the most northerly point or boundary of the said entire tract of land and premises, now called the north partition point; and from thence, that is to say, from the north partition point, extending southward, unto the more southerly point, by a straight and direct line drawn through the said tract of land, from the said north partition point unto the said south partition point, by the consent and agreement of the said parties, now called the line of partition, and by them intended for the dividing and making a partition of the easterly part, share and portion, from the westerly part, share and portion of the said tract of land and premises; and all and every the isles, islands, rivers, mines, minerals; woods, fishings, hawkings, buntings and fowlings, and all other royalties, governments, powers, forts, franchises,

harbours, profits, commodities and hereditaments whatsoever, unto the said easterly part, share and portion, of the said tract of land and premises, belonging or in any wise appertaining, with their and every of their appurtenances; and all the estate, right, title, interest, claim and demand whatsoever of them the said William Penn, Gawn Lawry, Nicholas Lucas and Edward Byllynge, and of each and every of them, of, into and out of the said easterly part, share and portion of the said tract of land and premises, and every part and parcel thereof, and the reversion and reversions, remainder and remainders of the same, and every part and parcel of the same; All which said easterly part, share and portion, parts, shares and portions, was and were then, and now is, and are by the consent and agreement of the said parties to the said partition, called and agreed from thenceforth to be called by the name of East New Jersey; and is all that, and only all that part, share and portion, and all those parts, shares and portions of the said tract of land and premises, so conveyed by his said Royal Highness as aforesaid, as lyeth extended eastward from the east side of the said line of partition before mentioned, to hold to the said Sir George Carteret, his heirs and assigns, in severally, to the use of him the said Sir George Carteret, his heirs and assigns forever; upon which partition so made, and such conveyance so executed as aforesaid, he the said Sir George Carteret became seized of all that easterly part of the premises, now called East New Jersey, with the appurtenances in severally. AND WHEREAS the said Sir George Carteret being by virtue of the said assurances and partition aforesaid, become sole seized to him and his heirs, of the said premises called East New Jersey, by his last will and testament in writing, bearing date on or about the fifth day of December, in the year of our Lord one thousand six hundred seventy and eight, did devise the same, and all his estate therein, amongst other things, to the right honourable Edward, Earl of Sandwich, the right honourable John Earl of hath; the right honourable Thomas, Lord Crew, Baron Crew, of Steane the honourable Bernard Greenville, Esq; brother of the said Earl of hath; the honourable Sir Robert Atkins, knight of the hath; the honourable Sir Edward Atkins, knight, one of the barons of his Majesty's Court of Exchequer, and their heirs in trust, to sell the same for the payment of his debts and legacies, as in and by the said will, relation being thereunto had, may appear, and shortly after dyed. AND WHEREAS the said John, Earl of hath; Thomas, Lord Crew; Bernard Greenville; Sir Robert Atkins; and Sir Edward Atkins, by indentures of lease and release, bearing date the fifth and sixth days of March, in the two and thirtieth year of his Majesty's reign conveyed the said premises, amongst other things, to Thomas Cremer, of the Parish of St. Andrews, Holbourne, in the county of Middlesex, gentleman, and Thomas Pocock of. the same, gentleman, as by the said indentures, relation being thereunto had, it may appear. AND WHEREAS the said Earl of Sandwich, by his indenture bearing date the twentieth day of February last past, hath released all his estate, interest and trust in the said premises, to the said Earl of hath, Lord Crew, Bernard Greenville, Sir Robert Atkins, and Sir Edward Atkins, and their heirs, as by the ' said indenture, relation being thereunto had, may appear. AND WHEREAS the said Earl of hath, Lord Crew, Bernard Greenville, Sir Robert Atkins, and Sir Edward Atkins, by the consent and direction of dame Elizabeth Carteret, relick and executrix of the said Sir George Carteret; and the said Thomas Cremer and Thomas Pocock, by the consent and direction of the said dame Elizabeth Carteret, Earl of hath, Lord Crew, Bernard Greenville, Sir Robert Atkins and Sir Edward Atkins, have by indentures of lease and release, bearing date the first and second days of February last; past, granted and conveyed to the said William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Thomas Wilcox, of London goldsmith, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, and Thomas Cooper, their heirs and assigns, all the said premises called East New Jersey, together with all isles, islands, rivers, mines, minerals, woods, fishings, hawkings, buntings, fowlings, and all other royalties, privileges franchises, forts, harbours, profits, commodities, and hereditaments whatsoever, thereunto belonging, As in and by the said indentures, relation being thereunto had, may more at large appear. AND WHEREAS the said William Penn, Robert West, Thomas Rudyard Samuel Groome, Thomas Hart, Richard Mew, Thomas Wilcox, Ambrose Rigg, John Haywood, Hugh Hartshorne, Clement Plumstead, and Thomas Cooper, have since conveyed one moyety of the said tract of land called East New Jersey, and of all other the premises to the said James, Earl of Perth, John Drummond, Robert Barckly, Robert Gordon, Arent Sonmans, Gawn Lawry, Edward Byllynge James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, who are thereby become tenants in common of the said premises called East New Jersey, which with the said William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Thomas Willcox, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, and Thomas Cooper. AND WHEREAS the said Thomas Wilcox hath conveyed all his share, estate and interest in the said premises, to the said David Barckly and his heirs: AND WHEREAS by the said several recited Letters Patents, made by his said

Majesty unto his said Royal Highness as aforesaid, several powers and authorities are and were given and granted unto his said Royal Highness, his heirs or assigns, or by the deputies, agents or commissioners of his said Royal Highness, his heirs or assigns, which are necessary as well for the planting, peopleing and improving of all and every the respective lands, places and territories thereof granted; and for the transporting thither from time to time such of his Majesty's subjects as should be willing to go or be transported into those parts, or any of them, as for the defending, guarding and keeping of the same; as also for the well governing of the same, and of all such as shall be inhabiting the same, and for the making, ordaining and executing of necessary and convenient laws and constitutions, in order to such government; and the punishing and pardoning offences and offenders, as occasion shall require; and to make, ordain, constitute, and confirm, and also to revoke, discharge and alter all and singular Governors, officers and magistrates, which by his said Royal Highness, his heirs and assigns, shall be from time to time thought fit and needful to be made, ordained, appointed or used in the said parts or places, or any of them; and to do all other things needful, -useful and necessary, for the well governing, keeping, defending and preserving the said respective places and territories, and of every of them and all such as are and shall be inhabiting there. Now these presents witness, that for and in consideration of a competent sum of lawful English money, unto his said Royal Highness in hand paid, and for the better extinguishing all such claims and demands as his said Royal Highness, or his heirs, may any wise have of or in the premises aforesaid, now called East New Jersey, or any part of them, and for the further and better settling and conveying, assuring and confirming of the same, and of every part thereof, according to the purport and true meaning of these presents, his said Royal Highness the said James Duke of York, hath granted, bargained, sold, released and confirmed, and by these presents, as far as in him lyeth, doth grant, bargain, sell, release and confirm unto the said James, Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, their heirs and assigns, all that part, share and portion, and all those parts, shares and portions, of all that entire tract of land, and all those entire premises so granted by his aid Royal Highness, unto the said John Lord Berkely and Sir George Carteret, and their heirs, as in and by and upon the said partition was and were vested in the said George Carteret and his heirs, and there agreed to be called by the name of East New Jersey, together with all islands, bays, rivers, waters, forts, mines, minerals, quarries, royalties, franchises, and appurtenances whatsoever to the same belonging, or in any wise appertaining; and all the estate, right, title, interest, reversion, remainder, claim and demand whatsoever, as well in law as in equity, of his said Royal Highness James, Duke of York, of, in, unto or out of the same, or any part or parcel of the same: as also the free use of all bays, rivers, and waters, leading unto or lying between the said premises, or any of them, in the said parts of East New Jersey, for navigation, free trade, fishing or otherwise, to have and to hold unto the said Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner, and Thomas Warne, their heirs and assigns forever, to the only use and behoof of them the said Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, their heirs and assigns forever, yielding and paying therefor yearly for the said whole entire premises, unto his Royal Highness, his heirs and assigns, the yearly rent of ten nobles of lawful English money, at or in the middle Temple Hall, London, at or upon the feast day of St. Michael the Archangel, yearly. And the said James, Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorne, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, do for themselves severally, and for their several and respective heirs, executors, administrators and assigns, covenant, promise and agree to and with his said Royal Highness, his heirs and assigns, to pay, or cause to be paid, the said annual rent of ten nobles, on the days and times herein before limited for payment thereof. And these presents further witness, that for the better enabling this said Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent

Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, their heirs and assigns, to improve and plant the said premises with people, and to exercise all necessary government there, whereby the said premises may be the better improved, and made more useful to them, their heirs and assigns, and to the King's Majesty, his said Royal Highness hath likewise given and granted, assigned and transferred, and doth by these presents give, grant, assign and transfer unto the said Earl of Perth, John Drummond, Robert Barclay, David Barclay, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorne, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Billinge, James Braine, William Gibson, Thomas Barker, Robert Turner, and Thomas Warne, their heirs and assigns, proprietors of the said Province of East New Jersey aforesaid, for the time being, all and every such and the same powers, authorities, jurisdictions, governments, and other matters and things whatsoever, which by the said respective recited Letters Patents, or either of them, are or were granted, or intended to be granted, to be exercised by his said Royal Highness, his heirs, assigns, deputies, officers, or agents, in or upon, or in relation unto the said premises, hereby confirmed, or intended to be hereby confirmed, and every of them, in case the same were now in the actual seisen of his Royal Highness, to be held, enjoyed, exercised and executed by them the said Earl of Perth, John Drummond, Robert Barckly, David Barckly, Robert Gordon, Arent Sonmans, William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Ambrose Rigg, John Haywood, Hugh Hartshorn, Clement Plumstead, Thomas Cooper, Gawn Lawry, Edward Byllynge, James Braine, William Gibson, Thomas Barker, Robert Turner and Thomas Warne, their heirs and assigns, Proprietors of the said Province of East New Jersey, for the time being, as fully and amply to all intents, constructions and purposes, as his said Royal Highness, or his heirs, might, could or ought to hold, enjoy, use, exercise or execute the same by force and virtue of the said several and respective before recited Letters Patents, or either of them, or any thing in them, or either or any of them, contained or otherwise howsoever. Provided always, that these presents be entered with the Auditor General of his said Royal Highness within two months next after the date hereof. In witness whereof the parties above mentioned to these present indentures, interchangeably have set their hands and seals, the-day and year first above written.

*JAMES.*

Sealed and delivered by his Royal Highness, in the presence of Ro. Werden, William Crofts, John Ashton.

(1) verified by "Grants and Concessions of New Jersey.", Leaming & Spleer. 2d Ed. pp. 141-152. Back

Source: The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America. Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe Washington, DC : Government Printing Office, 1909.

The King's Letter Recognizing the Proprietors' Right to the Soil and Government ; 1683 (1) CHARLES, R.

WHEREAS his Majesty for divers good causes and considerations him thereunto moving, by Letters Patents bearing date the twenty-ninth day of June, Anno Domini 1674, in the twenty-sixth year of his Majesty's reign, was pleased to give and grant unto his dearest brother James, Duke of York, several territories, islands, and tracts of land in America, part of which were since called by the name of Nova Caesarea or New Jersey, and was vested in John Lord Berkeley, of Stratton, and Sir George Carteret, Knight and Baronet, who were troth of his Majesty's most honourable Privy Council, and in their heirs and assigns: And the east part or portion of the said Province of New Jersey, by a certain deed of partition afterwards made, became the share of the said Sir George Carteret, his heirs and assigns, and was agreed to be called East New Jersey, and was since assigned to the present Proprietors. AND WHEREAS his Royal Highness, James, Duke of York, by his endenture bearing date the fourteenth day of March, Anno Dom. 1682, in the thirty-fifth year of his Majesty's reign (for the consideration therein mentioned) did grant and confirm the said Province of East New Jersey, (extending eastward and northward all along the sea coast and Hudson's river, from Little Egg Harbour, to that part of Hudson's river which is in forty-one degrees of northern lattitude, and otherways bounded and limited as in said grant and confirmation, relation being thereunto had, may more particularly and at large appear) unto James, Earl

of Perth, John Drummond of Lundie; as also unto Robert Barckly, of Eury. Esq; Robert Gordon, of Clunie, Esq; and others, his Majesty's loving subjects in England, Scotland, and elsewhere, to the number of twenty-four grantees, and to their heirs and assigns forever; together with all powers and jurisdiction necessary for the good government of the said Province. His Majesty therefore doth hereby declare his royal will and pleasure, and doth strictly charge and command the planters and inhabitants, and all other persons concerned in the said Province of East New Jersey, that they do submit and yield all due obedience to the laws and government of the said grantees, their heirs and assigns, as absolute Proprietors and Governors thereof, (who have the sole power and right derived under his Royal Highness from his said Majesty, to settle and dispose of the said Province upon such terms and conditions as to them shall seem good) as also to their deputy or deputies, agents, lieutenants, and officers, lawfully commssionated by them according to the powers and authorities granted to them. And of this his Majesty's royal will and pleasure, the Governor and Council is required to give publick notice, his Majesty expecting and requiring forthwith a due compliance with this his royal will and pleasure, from all persons as well without the Province as within the same, (who these presents do or may concern) as they will answer the contrary thereof at their peril. Given at the Court of Whitehall, the twenty-third day of November, 1683, in the thirty-fifth year of his Majesty's reign.

By his Majesty's command,

SUNDERLAND.

To the Governor and Council of East New Jersey, for the time being, and to the planters, inhabitants, and all others concerned in the said Province.

(1) Verified by " Grants and Concessions of New Jersey." Leaming & Spicer, 2<sup>nd</sup> ed., pp. 151-152. Back

Source: The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America. Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe Washington, DC : Government Printing Office, 1909.

### The Queen's Acceptance of the Surrender of Government

At the Court of St. James's the 17<sup>th</sup> day of April, 1709 PRESENT Thee Queen's most Excellent Majesty His Royal Highness, Prince Earl of Radnor,

George of Denmark, Earl of Barkeley,

Lord Keeper, Earl of Rochester,

Lord President, Earl of Marlborough,

Lord Steward, Earl of Bradford,

Duke of Bolton, Earl of Romney

Duke of Schonberg, Earl of Renalagh,

Duke of Leeds, Lord Ferrers

Lord Great Chamberlain, Lord Godolphin,

Earl Marshall, Mr. Comptroller,

Lord High Admiral; Mr. Vice Chamberlain,

Lord Chamberlain, Mr. Secretary Vernon,

Earl of Dorset, Mr. Chancellor of the Exchequer,

Earl of Manchester, Lord Chief Justice,

Earl of Stamford, Sir Charles Hedges,

Earl of Burlington Mr .Smith

This day the several Proprietors of East and West New Jersey in America, did in person present a deed of surrender by them executed under their hands and seals, to her Majesty in Council, and did acknowledge the same to be their act and deed, and humbly desire her Majesty accept the same, that it might be enrolled in the Court of Chancery, whereby they did surrender their power of the Government of those plantations: Which her Majesty graciously accepted, and was pleased to order as it is hereby ordered, that the same be enrolled in her Majesty's said High Court of Chancery, whereby they did surrender their power of the Government of those plantations which her Majesty graciously accepted and was pleased to order, as it is hereby ordered, that the same be enrolled in her Majesty's said High Court of Chancery, and the said instruments are to be delivered to Mr. Attorney General, who is to take care that the same be enrolled accordingly.

A true copy.

**W. SHARPE.**

17 March 1747,

Examined the foregoing copy with the entry, remaining in the register book, in the office of his Majesty's privy Council at Whitehall, and found the same to contain a true copy.

**JAMES HAMILTON,**

7 October 1747,

Examined the foregoing copy, with the entry remaining in the register book in the office of his Majesty's privy Council at Whitehall, and found the same to contain a true copy.

**John WADDELL**

Be it remembered, that on the tenth day of September 1748, John Waddell of the city of New York, merchant, appeared before Robert Hunter Morris, Esq; Chief Justice of the Province of New Jersey, and being duly sworn on the holy evangelists, on his oath declared, that the name of John Waddell, signed to the preceding certificate of the 7<sup>th</sup> of October, 1747, is the proper hand writing of the declarant, and that the matter contained in the said certificate is true,

**JOHN WADDELL,**

Sworn as above, before me,

**ROBERT HUNTER MORRIS.**

Agrees with an attested copy, being carefully examined and corrected by me, JOHN SMITH,

Register of the Proprietors of East New Jersey.

Source:

The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and

Constitution of New Jersey; 1776 (1)

WHEREAS all the constitutional authority ever possessed by the kings of Great Britain over these colonies,(2) or their other dominions, was, by compact, derived from the people, and held of them, for the common interest of the whole society; allegiance and protection are, in the nature of things, reciprocal ties; each equally depending upon the other, and liable to be dissolved by the others being refused or withdrawn. And whereas George the Third, king of Great Britain, has refused protection to the good people of these colonies; and, by assenting to sundry acts of the British parliament, attempted to subject them to the absolute dominion of that body; and has also made war upon them, in the most cruel and unnatural manner, for no other cause, than asserting their just rights-all civil authority under him is necessarily at an end, and a dissolution of government in each colony has consequently taken place.

And whereas, In the present deplorable situation of these colonies, exposed to the fury of a cruel and relentless enemy, some form of government is absolutely necessary, not only for the preservation of good order, but also the more effectually to unite the people, and enable them to exert their whole force in their own necessary defence: and as the honorable the continental congress, the supreme council of the American colonies, has advised such of the colonies as have not yet gone into measures, to adopt for themselves, respectively, such government as shall best conduce to their own happiness and safety, and the well-being of America in general:- We, the representatives of the colony of New Jersey, having been elected by all the counties, in the freest manner, and in congress assembled, have, after mature deliberations, agreed upon a set of charter rights and the form of a Constitution, in manner following, viz.

I. That the government of this Province shall be vested in a Governor, Legislative Council, and General Assembly.

II. That the Legislative Council, and General Assembly, shall be chosen, for the first time, on the second Tuesday in August next; the members whereof shall be the same in number and qualifications as are herein after mentioned; and shall be and remain vested with all the powers and authority to be held by any future Legislative Council and Assembly of this Colony, until the second Tuesday in October, which shall be in the year of our Lord one thousand seven hundred and seventy-seven.

III. That on the second Tuesday in October yearly, and every year forever (with the privilege of adjourning from day to day as occasion may require) the counties shall severally choose one person, to be a member of the Legislative Council of this Colony, who shall be, and have been, for one whole year next before the election, an inhabitant and freeholder in the county in which he is chosen, and worth at least one thousand pounds proclamation money, of real and personal estate, within the same county; that, at the same time, each county shall also choose three members of Assembly; provided that no person shall be entitled to a seat in the said Assembly unless he be, and have been, for one whole year next before the election, an inhabitant of the county he is to represent, and worth five hundred pounds proclamation money, in real and personal estate, in the same county: that on the second Tuesday next after the day of election, the Council and Assembly shall separately meet; and that the consent of both Houses shall be necessary to every law; provided, that seven shall be a quorum of the Council, for doing business, and that no law shall pass, unless there be a majority of all the Representatives of each body personally present, and agreeing thereto. Provided always, that if a majority of the representatives of this Province, in Council and General Assembly convened, shall, at any time or times hereafter, judge it equitable and proper, to add to or diminish the number or proportion of the members of Assembly for any county or counties in this Colony, then, and in such case, the same may, on the principles of more equal representation, be lawfully done; anything in this Charter to the contrary notwithstanding: so that the

whole number of Representatives in Assembly shall not, at any time, be less than thirty-nine.

IV. That all inhabitants of this Colony, of full age, who are worth fifty pounds proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for twelve months immediately preceding the election, shall be entitled to vote for Representatives in Council and Assembly; and also for all other public officers, that shall be elected by the people of the county at large.

V. That the Assembly, when met, shall have power to choose a Speaker, and other their officers; to be judges of the qualifications and elections of their own members; sit upon their own adjournments; prepare bills, to be passed into laws; and to empower their Speaker to convene them, whenever any extraordinary occurrence shall render it necessary.

VI. That the Council shall also have power to prepare bills to pass into laws, and have other like powers as the Assembly, and in all respects be a free and independent branch of the Legislature of this Colony; save only, that they shall not prepare or alter any money bill-which shall be the privilege of the Assembly; that the Council shall, from time to time, be convened by the Governor or Vice-President, but must be convened, at all times, when the Assembly sits; for which purpose the Speaker of the House of Assembly shall always, immediately after an adjournment, give notice to the Governor, or Vice-President, of the time and place to which the House is adjourned.

VII. That the Council and Assembly jointly, at their first meeting after each annual election, shall, by a majority of votes, elect some fit person within the Colony, to be Governor for one year, who shall be constant President of the Council, and have a casting vote in their proceedings; and that the Council themselves shall choose a Vice-President who shall act as such in the absence of the Governor.

VIII. That the Governor, or, in his absence, the Vice-President of the Council, shall have the supreme executive power, be Chancellor of the Colony, and act as captain-general and commander in chief of all the militias and other military force in this Colony; and that any three or more of the Council shall, at all times, be a privy-council, to consult them; and that the Governor be ordinary or surrogate general.

IX. That the Governor and Council, (seven whereof shall be a quorum) be the Court of Appeals, in the last resort, in all clauses of law, as heretofore; and that they possess the power of granting pardons to criminals, after condemnation, in all cases of treason, felony, or other offences.

X. That captains, and all other inferior officers of the militia, shall be chosen by the companies, in the respective counties; but field and general officers, by the Council and Assembly.

XI. That the Council and Assembly shall have power to make the (great Seal of this Colony, which shall be kept by the Governor, or, in his absence, by the Vice-President of the Council, to be used by them as occasion may require: and it shall be called, The Great Seal of the Colony of New-Jersey.

XII. That the Judges of the Supreme Court shall continue in office for seven years: the Judges of the Inferior Court of Common Pleas in the several counties, Justices of the Peace, Clerks of the Supreme Court, Clerks of the Inferior Court of Common Pleas and Quarter Sessions, the Attorney-General, and Provincial Secretary, shall continue in office for five years:

and the Provincial Treasurer shall continue in office for one year; and that they shall be severally appointed by the Council and Assembly, in manner aforesaid, and commissioned by the Governor, or, in his absence, the Vice-President of the Council. Provided always, that the said officers, severally, shall be capable of being re-appointed, at the end of the terms severally before limited; and that any of the said officers shall be liable to be dismissed, when adjudged guilty of misbehaviour, by the Council, on an impeachment of the Assembly.

XIII. That the inhabitants of each county, qualified to vote as aforesaid' shall at the title and place of electing their Representatives, annually elect one Sheriff, and one or more Coroners; and that they may

re-elect the same person to such offices, until he shall have served three years, but no longer; after which, three years must elapse before the same person is capable of being elected again. When the election is certified to the Governor, or Vice-President, under the hands of six freeholders of the county for which they were elected, they shall be immediately commissioned to serve in their respective offices.

XIV. That the townships, at their annual town meetings for electing other officers, shall choose constables for the districts respectively; and also three or more judicious freeholders of good character, to hear and finally determine all appeals, relative to unjust assessments, in cases of public taxation; which commissioners of appeal shall, for that purpose, sit at some suitable time or times, to be by them appointed, and made known to the people by advertisements.

XV. That the laws of the Colony shall begin in the following style, viz. " Be it enacted by the Council and General Assembly of this Colony, and it is hereby enacted by authority of the same: " that all commissions, granted by the Governor or Vice-President, shall run thus-" The Colony of New-Jersey to A. B. &c. greeting: " and that all writs shall likewise run in the name of the Colony: and that all indictments shall conclude in the following manner, viz. "Against the peace of this Colony, the government and dignity of the same.

XVI. That all criminals shall be admitted to the same privileges of witnesses and counsel, as their prosecutors are or shall be entitled to.

XVII. That the estates of such persons as shall destroy their own lives, shall not, for that offence, be forfeited; but shall descend in the same manner, as they would have done, had such persons died in the natural way; nor shall any article, which may occasion accidentally the death of any one, be henceforth deemed, a deodand, or in anywise forfeited, on account of such misfortune.

XVIII. That no person shall ever, within this Colony, be deprived of the inestimable privilege of worshipping Almighty God in a manner, agreeable to the dictates of his own conscience; nor, under any presence whatever, be compelled to attend any place of worship, contrary to his own faith and judgment; nor shall any person, within this Colony, ever be obliged to pay tithes, taxes, or any other rates, for the purpose of building or repairing any other church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately or voluntarily engaged himself to perform.

XIX. That there shall be no establishment of any one religious sect in this Province, in preference to another; and that no Protestant inhabitant of this Colony shall be denied the enjoyment of any civil right, merely on account of his religious principles; but that all persons, professing a belief in the faith of any Protestant sect. who shall demean themselves peaceably under the government, as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the Legislature, and shall fully and freely enjoy every privilege and immunity, enjoyed by others their fellow subjects.

XX. That the legislative department of this government may, as much as possible, be preserved from all suspicion of corruption, none of the Judges of the Supreme or other Courts, Sheriffs, or any other person or persons possessed of any post of profit under the government, other than Justices of the Peace, shall be entitled to a seat in the Assembly: but that, on his being elected, and taking his seat, his office or post shall be considered as vacant.

XXI. That all the laws of this Province, contained in the edition lately published by Mr. Allinson, shall be and remain in full force, until altered by the Legislature of this Colony (such only excepted, as are incompatible with this Charter) and shall be, according as heretofore, regarded in all respects, by all civil officers, and others, the good people of this Province.

XXII. That the common law of England, as well as so much of the statute law, as have been heretofore practiced in this Colony, shall still remain in force, until they shall be altered by a future law of the

Legislature; such parts only excepted, as are repugnant to the rights and privileges contained in this Charter; and that the inestimable right of trial by jury shall remain confirmed as a part of the law of this Colony, without repeal, forever.

XXIII. That every person, who shall be elected as aforesaid to be a member of the Legislative Council, or House of Assembly, shall, previous to his taking his seat in Council or Assembly, take the following oath or affirmation, viz:

" I, A. B., do solemnly declare, that, as a member of the Legislative Council, [or Assembly, as the case may be,] of the Colony of New-Jersey, I will not assent to any law, vote or proceeding, which shall appear to me injurious to the public welfare of said Colony, nor that shall annul or repeal that part of the third section in the Charter of this Colony, which establishes, that the elections of members of the Legislative Council and Assembly shall be annual; nor that part of the twenty-second section in said Charter, respecting the trial by jury, nor that shall annul, repeal, or alter any part or parts of the eighteenth or nineteenth sections of the same."

And any person or persons, who shall be elected as aforesaid, is hereby empowered to administer to the said members the said oath or affirmation.

Provided always, and it is the true intent and meaning of this Congress, that if a reconciliation between Great-Britain and these Colonies should take place, and the latter be taken again under the protection and government of the crown of Britain, this Charter shall be null and void-otherwise to remain firm and inviolable.

In Provincial Congress, New Jersey,

Burlington. July 2, 1776.

By order of Congress.

SAMUEL TUCKER, Pres.

WILLIAM PATTERSON, Secretary.

(1) Verified from " Acts of the General Assembly of New Jersey, compiled by Peter Wilson, Trenton, MDCCCLXXXIV." pp. III-X

See, also Extracts from the Journal of Proceedings of the Provincial Congress of New Jersey. Held at Trenton in the months of May, June and August, 1775. Published by order. Burlington:

Printed and sold by Isaac Colilns M.DCC.LXXV. Woodbury, N. J.

Reprinted by order. Joseph Sailer, Printer, 1835. pp. 241.

Journal of the Votes and Proceedings of the Convention of New Jersey. Begun at Burlington the Tenth of June 1776, and thence continued by Adjournment at Trenton and New Brunswick, to the Twenty-first of August following. To which is annexed, Sundry Ordinances, and the Constitution. Published by order Burlington:

Printed and sold by Isaac Collins, M.DCC.LXXVI. Trenton:

Reprinted by order. Joseph Justice, Printer. 1831

This constitution was framed by a convention which assembled in accordance with the recommendation of the Continental Congress that the people of the colonies should form independent State governments, and which was in session, with closed doors, successively, at Burlington, Trenton, and New Brunswick, from May 26, 1776, until July 2, 1776, with intermissions. It was not submitted to the people, but its publication was ordered by the

convention, July 3, 1776. Back

(2) The legislature of New Jersey amended this constitution September 20, 1777, by substituting the words " State " and " States " for " colony " and " colonies." Back

Source:

The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America. Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe Washington, DC : Government Printing Office, 1909.

Contract Between the King and the Thirteen United States of North America.

Art 1 Art 2 Art 3 Art 4 Art 5 Art 6 Art 7 Art 8

Contract Between the King and the Thirteen United States of North America, signed at Versailles July 16, 1782.

The King having been pleased to attend to the requests made to him in the name and on behalf of the united provinces of North America for assistance in the war and invasion under which they had for several years groaned; and His Majesty, after entering into a Treaty of Amity and Commerce with the said confederated provinces on the 6<sup>th</sup> of February, 1778, having had the goodness to support them, not only with his forces by land and sea, but also with advances of money, as abundant as they were effectual in the critical situation to which their affairs were reduced; it

has been judged proper and necessary to state exactly the amount of those advances the conditions on which the King made them, the periods at which the Congress of the United States have engaged to repay them to His Majesty's royal treasury, and, in fine, to state this matter in such a way as for the future to prevent all difficulties capable of interrupting the good harmony which His Majesty is resolved to maintain and preserve between him and the said United States. For executing so laudable a purpose, and with a view to strengthen the bands of amity and commerce which subsist between His Majesty and the said United States, we, Charles Gravier de Vergennes, etc., Counselor of the King in all his Councils, Commander of his Orders, Minister and Secretary of State, and of his Commands and Finances, vested with full powers of His Majesty to us given for this purpose-

And we, Benjamin Franklin, Minister Plenipotentiary of the United States of North America, in like manner vested with full powers of the Congress of the said States for the present purpose, after duly communicating our respective powers, have agreed to the following articles:

#### ARTICLE 1

It is agreed and certified that the sums advanced by His Majesty to the Congress of the United States under the title of a loan, in the years 1778, 1779, 1780, 1781, and the present 1782, amount to the sum of eighteen million of livres, money of France, according to the following twenty-one receipts of the above-mentioned underwritten Minister of Congress, given in virtue of his full powers, to wit:

1. 28 February 1778 750,000
  2. 19 May do 750,000
  3. 3 August do 750,000
  4. 1 November do 750,000
- Total 3,000,000

5. 10 June 1779	250,000
6. 16 September do	250,000
7. 4 October do	250,000
8. 21 December do	250,000
Total	1,000,000
9. 29 February 1780	750,000
10. 23 May do	750,000
11. 21 June do	750,000
12. 5 October do	750,000
13. 27 November do	1,000,000
Total	4,000,000
14. 15 February 1781	750,000
15. 15 May do	750,000
16. 15 August do	750,000
17. 1 August do	1,000,000
18. 15 November do	750,000
Total	4,000,000
19. 10 April 1782	1,500,000
20. 1 July do	1,500,000
21. 5 of the same month	3,000,000
Total	6,000,000

Amounting in the whole to eighteen millions, viz 18, 000, 000.

By which receipts the said Minister has promised, in the name of Congress and in behalf of the thirteen United States, to cause to be paid and reimbursed to the royal treasury of His Majesty, on the 1<sup>st</sup> of January, 1788, at the house of his Grand Banker at Paris, the said sum of eighteen millions, money of France, with interest at five per cent per annum.

#### ARTICLE 2.

Considering that the payment of so large a capital at the one stipulated period, the 1<sup>st</sup> of January, 1788, may greatly injure the finances of the Congress of the United States, and it may perhaps be even impracticable on that footing, His Majesty has been pleased for that reason to recede in that respect from the tenor of the receipts which the Minister of Congress has given for the eighteen million livres tournois mentioned in the foregoing article, and has consented that the payment of the capital in ready money at the royal treasury be in twelve equal payments of 1,500,000 livres each, and in twelve years only, to commence from the third year after a peace.

### ARTICLE 3.

Although the receipts of the Minister of the Congress of the United States specify that the eighteen million of livres above mentioned are to be paid at the royal treasury, with interest at five per cent per annum, His Majesty, being willing to give the said United States a new proof of his affection and friendship, has been pleased to make a present of, and to forgive the whole arrears of interest to this day, and from thence to the date of the treaty of peace; a favor which the Minister of the Congress of the United States acknowledges to flow from the pure bounty of the King, and which he accepts in the name of the said United States with profound and lively acknowledgments.

### ARTICLE 4.

The payment of the said eighteen millions of livres tournois shall be in ready money at the royal treasury of His Majesty at Paris, in twelve equal parts and at the terms stipulated in the above second article. The interest of the said sum, at five percent per annum, shall commence with the date of the treaty of peace, and shall be paid at every period of the partial payments of the capital, and shall diminish in proportion with the payments; the Congress of the said United States being left, however, at liberty to free themselves sooner from this obligation by anticipated payments in case the state of their finances will admit.

### ARTICLE 5.

Although the loan of five millions of florins of Holland, agreed to by the States General of the United Provinces of the Netherlands on the terms of the obligation passed on the 5<sup>th</sup> of November, 1781, between His Majesty and the said States General, has been made in His Majesty's name and guaranteed by him; it is never the less acknowledged by these presents that the said loan was made in reality on account and for the service of the United States of North America, and that the capital, amounting at a moderate valuation to the sum of ten millions livres tournois, has been paid to the said United States, agreeably to a receipt for the payment of the said sum, given by the undersigned Minister of Congress the seventh day of June last.

### ARTICLE 6.

By the convention of the said 5<sup>th</sup> of November, 1781, the King has been pleased to promise and engage to furnish and pay at the general counter of the States General of the Netherlands, the capital of the said loan, with the interest at four per cent per annum, without any charge or deduction whatever to the lenders; so that the said capital shall be wholly repaid after the space of five years, the payments to be made in ten equal periods, the first of which to commence the sixth year from the date of the loan, and afterwards from year to year to the final payment of the said sum; but it is in like manner acknowledged by this act that this engagement was entered into by the King at the request of the undersigned Minister of the United States, and on the promise by him made in the name of Congress and on behalf of the thirteen United States, to cause to be reimbursed and paid at the royal treasury of His Majesty at Paris, the capital, interest, and cost of the said loan, according to the conditions and terms fixed by the said convention of the 5<sup>th</sup> of November, 1781.

### ARTICLE 7.

It is accordingly agreed and settled that the sum of ten million livres tournois, being by a moderate computation the principal of the loan of five millions of Holland florins above mentioned, shall be reimbursed and paid in ready money at the royal treasury of His Majesty at Paris, with the interest at four per cent per annum, in ten equal payments of one million each, and in ten terms, the first of which shall be on the 5<sup>th</sup> of November, 1787, the second the 5<sup>th</sup> of November, 1788, and so from year to year till the final payment of the said sum of ten millions, the interest lessening in proportion with the partial payments of the capital. But in consequence of the King's affection for the United States, His Majesty has been pleased to charge himself with the expense of commissions and bank for the said loan, of which expenses His Majesty has made a present to the United States, and this their undersigned Minister accepts, with thanks, in the name of Congress, as a new proof of His Majesty's generosity and friendship for the said United States.

## ARTICLE 8.

With regard to the interest of the said loan during the five years preceding the first term of payment of the capital, as the King has engaged to pay it at the general counter of the States General of the Netherlands, at the rate of four per cent yearly, and every year, counting from the 5<sup>th</sup> of November, 1781, according to the convention of that day, the Minister of Congress acknowledges that the repayment of that is due to His Majesty by the United States, and he engages in the name of the said United States to cause payment thereof to be made, at the same time and I at the same rate, at the royal treasury of His Majesty; the first year's interest to be paid the 5<sup>th</sup> of November next, and so yearly during the five years preceding the first term for the payment of the capital, fixed as above on the 5<sup>th</sup> of November, 5 1787.

The high contracting parties reciprocally bind themselves to the faithful observance of this contract, the ratifications of which shall be exchanged in the space of nine months from this day, or sooner if possible. In testimony whereof we, the said Plenipotentiaries of His Most Christian Majesty and of the thirteen United States of North America, in virtue of our respective powers, have signed these presents and it hereunto fixed the seal of our arms.

Done at Versailles the sixteenth day of July, one thousand seven hundred and eighty-two.

GRAVIER DE VERGENNES [Seal]

B FRANKLIN [Seal]

Source:

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