Instructions for Governor Dongan.

Instructions for Coll Thomas Dongan L* and Gov'r of New Yorke and its Dependencyes in America.

With these Instructions you will receive a Commission und'r my hand and scale constituting you my L* and Gov'r of New Yorke & it's Dependencyes in America.

And you are thereupon to fit yo' selfe w'th all convenient speed and to repair thither to New Yorke, and being arrived there you are to take upon you the execution of the place and trust I have reposed in you, and forthwith to call together Fredericke Phillipps, Stephen Courtland and see many more of the most eminent inhabitants of New Yorke, not exceeding ten, to be of my Councill, and w'th due and usall solemnity to cause my said commission constituting you my present L* and Gov'r as aforesaid, to be then and there read and published; w'ch being done, you are to administer to each of the members of the s'd Councill as well the Oaths of Allegiance to the King and Fealty to me as Lord and Proprietor of the place, & an Oath for y's due execution of their places and trusts, and forthw'th to communicate such and see many of these my instructions to the s'd Councill wherein their advice and consent are menconed to be requisite, as likewise all such others from time to time as you shall find convenient for my service to be imparted unto y'm and the Members of the s'd Councill respectively shall and may have and enjoy freedome of debates and vote in all affaires of publique concerne. And in case any of y's p'sons who are or shalbe of my Councill shall misbehave themselves to that degree y't you shall judge him unfitt to continue any longer of the Council, I doe hereby authorize and empower you to suspend him from assisting or attending the said Councill, and to transmitt to me y's grounds and reasons of such suspension & such evidence as you have ag'd him, y't I may be able to judge whether he be fitt to be restored or absolutely excluded & discharged from y's Councill.

You are also w'th advice of my Councill w'th all convenient speed after yo' arrivall there, in my name to issue out Writt's or warrant of Sum'ons to y's severall Sheriffs or other proper Officers in every part of yo' said governem't wherein you shall express that I have thought fitt that there shall be a Gen'l Assembly of all the Freeholders, by the p'sons who they shall choose to represent y'm in ord'r to consulting w'th yo'selfe and the said Councill what laws are fitt and necessary to be made and established for the good weale and governem't of the said Colony and its Dependencyes, and of all the inhabitants thereof, & you shall issue out the said Writt or Sum'ons at least thirty days before the time appointed for y's meeting of the said Assembly, w'ch time and alsoe the place of their meeting (w'th I intend shalbe in New Yorke) shall alsoe be menconed & expressd in the said Writt or Sum'ons, and you w'th advice of my said Councill are to take care to issue out soe many writts or sum'ons and to such officers, in every part, not exceeding eightene, soe y't the planters or Inhabitants of every part of y's s'd governem't may have convenient notice thereof and attend at such election, if they shall thinke fitt. And w'th the said Assembly soe elected shalbe mett at y's time and place directed, you shall lett y'm know that for the future it is my resolucion that y's said Gen'l Assembly shall have free liberty to consult and debate among themselves all matt'rs as shall be apprehended proper to be established for laws for the good governem't of the said Colony of New Yorke and its Dependencyes, and
yf if such laws shalbe propounded as shall appeare to mee to be for the manifest good of the Country in generall and not pjudicall to me, I will assent unto and confirme ym In the passing and enacting of all such laws as shalbe agreed unto by the said Assembly, wch I will have called by the name of the Generall Assembly of my Colony of New Yorke and its Dependencyes wherein the same shalbe (as I doe hereby ordaine they shalbe) p'sented to you for yo' assent thereunto.

You are to consider whether y^ same be for the gen^n good and not prejudicall to me; and if you find them soe to be, then you are to give yo' assent thereunto. But if you shall judge them inconvenient or p'judicall, you are to refuse yo' assent thereunto, and in all cases you are to have a negative voice to refuse all Laws y^ are presented to you; and w^ you shall have given yo' consent to such laws as shalbe soe agreed, you shall by the first opportunity transmit the same to me undt y^ hands of yo' selfe and Councill, and undt the scale of the Colony, (wch you are to use in passing of grants) to y^ end that I may ratifie and confirme y^ same, if I shall approve or reject y^ if I doe not thinke them reasonable. But the said laws soe assented unto by you, shalbe good and binding untill such time as I shall cause my dislike of & refusall to passe y^ to be signified unto you, and from thenceforth y^ same shall cease and be null and voidt to all intents. And I doe alsoe give you power from time to time to cause y^ said Gen^n Assembly to be sumoned wch I also authorize you to adjourne or dissolve as you shall see reason and cause. And I doe further direct you not to passe any law upon any occasion whatsoever for rayseing any publique revenue, unlesse expresse mencon be made therein y^ the same is leyved and granted unto me, or unto me for y^ support of y^ Governemt or to such uses as the said law shall appoint. And you are as much as in you lyeth to take effectuall care y^ there may be a constant Establishment for raising of money sufficient to support and maintaine y^ charge of the governemt of those parts both Civill & Military; and alsoe that there may be money raised for paying and discharging the arreares now due to y^ Officers & soldiers and other expenses of the governemt. And are not to suffer any publique money w'soever to be issued or disposed of otherwise then by a warrt under your hand.

And it is my expresse will and pleasure y^ all laws w'soever for the good governemt and support of my said Colony of New Yorke with its Dependencyes be made indefinite and without limitacion of time, except the same be for a temporary end, & wth shall expire and have its full effect within a certaine time. And you are not to passe any laws or doe any act by Graunt, Settlement or otherwise whereby my revenue may be remitted, lessened or impaired, w'tout my especiall leave or commands therein. You shall not displace any of y^ Judges Justices Sheriffes or other Office^ or Ministers w'thin New Yorke or its Dependencyes under yo' governemt without good cause, nor execute yo'selfe or by a Deputy any of y^ said offices nor suffer any person to execute more offices y^ one by a Deputy.

And I doe hereby require and command you y^ noe mans life, member, freehold, or goods, be taken away or harmed in any of the places undt yo' governemt but by established and knowne laws not repugnant to but as nigh as may be agreeable to the laws of the kingdome of England.

You are to take care that drunkennesse and debauchery swearer and blasphemy be discountenanced & punished, and y^ none be admitted to publique trust and employt whose ill fame and conversacion may bring scandall thereupon. You are to give all due encouragemt and invitacion to merch^ and others who shall bring trade unto yo' governemt & inhabitants or any way contribute to their advantage.
And if any thing shall happen wth may be of advantage or security to any of the places under yo' governem't wth is not herein or by yo' comission provided for; I doe hereby allow unto you, wth advice and consent of my Councill to take ordr for the p'sent therein, giving me speedy notice thereof, y' soo you may receive my ratificac'dn if I shall approve y's same. Provided always that you do not by colour of any power or authority given you, c'mence or declare wthout my knowledge & particular comands therein.

You are, for the better administracion of justice to endeavour to gett a law passed in the Assembly whereon shall sett the value of the mens estates either in goods or lands undr wth they shall not be capable of serving as Jurors.

I doe also hereby authorize you wth advice of my 5th Councill to elect and settle such and soo many Courts of Justice & in such places as you shall wth advice of my said Councill judge to be necessary for the good governem't of the said place & for adjudgeing and determinine all matt'r Civill and Criminal wherein you are to take care that y' same be as nere answerable to y's laws and Courts of Justice in England as may be, and to give me an acc't of such Courts as you shall thinke fitt soo to erect, to y' end I might confirme or reject the same as I shall see cause, but the said Courts may proceed and hold Recognizance of such matters as you and yo' Councill shall appoint, untill my pleasure be signified to y' contrary.

And I doe further hereby authorize and empower you, wth advice of my said Councill, to make contracts & agreem't wth such persons as shall desire to take any part of the lands within my said governem't, to plant and improve, and to grant such estates as shallbe soo contract'd for undr y' scale of my governem't at and undr some certaine yearly rent and service to be reserved to me and my heires; wth rent and service I doe referr to be settled by you & my said Councill according to your best discrecon.

And I doe alsoe authorize and impower you to pardon and remitt any fine or fines wth by any of the said Courts shall be sett or imposed upon any person or bodys politque or corporate, and alsoe to pardon and remitt all manner of crimes before or after conviction (unless the heynous crimes of high Treason and wilfull murther) and in those cases if you shall find the Criminall capable of mercy and pardon, you may then reprieve the execution of the judgm't ag't them who shallbe convicted of High Treason or murther and transmitt to me the true state of the matter and the grounds & reasons wth incline you to judge the persons objects of mercy.

And you are alsoe wth advice of my said Councill to erect and appoint convenient houses and other necessaries, for Custome-houses and matters relating thereunto, in such ports and places as you shall judge convenient, either for shipping or unladeing any goods or merchandize.

And I doe alsoe impower and authorize you wth advice of my said Councill to settle and establish a Militia of the inhabitants, to be mustred & disciplined undr such offic'e as you shall nominate and appoint, and that they may be ready in case of any invasion or suddaine insurrecccon, to oppose the enemy; and in y' case you are to levy arme and employ the inhabitants ag't such foraigne and other enemies, represse, fight wth kill and destroy them; And for the better strengthening of the said places, you may wth advice of my said Councill erect such forts & castles and other fortificacions as shallbe necessary for the defence thereof.

You are also wth all convenient speed after yo' arrival at New Yorke to endeavour to ascertaine and agree y' Boundaryes of my territoryes towards Connecticut wth the Govern' and inhabitants of Connecticut, and you are to send over to me true and exact Mapps of all my said Territoryes.
You are to permitt and suffer all such Planters as are now upon any part of my said countreyes and have begun to improve their plantacon's, quietly to hold and enjoy their said lands without disturbance, and the laws now in force and use in the said countreyes are to be continued and put in use untill ye same shalbe abrogated or changed, in such manner as is above directed. But you are not upon any pretence or colour of law or other establishm't to leavy raise or take or suffer any person to demand, leavy, raise or take any money or other things for or by way of Custome or impost, for any goods wares or merchandizes imported or exported by any merchant or other person whatsoever, untill the same shalbe enacted and established by law to be made and enacted in such manner as is above menc'd and directed.

You are alsoe to take all oppertunityes to gaine and procure from the Indians upon reasonable rates and termes such tracts and quantityes of ground as are contiguous to my other lands or convenient for my territoryes in trade, either sea ports or others, thereby to enlarge and secure my territoryes.

You are alsoe to consider and advise wth my Councill whether it wilbe for the good or prejudice of those Countreyes in gen'd and also what particular advantage it may prove to the Citty of New Yorke if I should grant unto that Citty immunities and priviledges beyond w't other parts of my territoryes doe enjoy; and w'n you have fully instructed and informed yo'selfe therein, you are to send over yo's opinion in writing to mee, and yo's reasons for w't you shall advise to be done, y't I may alsoe consider upon w't you ground yo's judgement, and thereupon take my resolucon what to doe therein.

And you shall, by every ship ye sailes from ye parts for England, give advice to me of the condicon of ye's countreyes and of all other things ye shalbe necessary. You shall alsoe endeavour effectually to adjust and settle a due regulacion of ye's trade to and at Pemaquid, and betweene the inhabitants of New Yorke and those of Pemaquid, wherein you are to advise and consult w't ye's principal Inhabitants and trader of and in New Yorke to the end the trade thereof may be secure and improved to ye's best advantage.

And lastly I do hereby ord'r and direct ye't in case you shall happen to depart ye's life in ye's time of ye's governem't in the places aforesaid, that then ye's Deputy Govern'r or hee who shalbe the Cheife Offic'e und'r you at ye's time of ye's decease shall take upon him the governem't of ye's said places & colony in such manner as you are to doe, and observe ye's instruccions and direccions above menc'd & shall continue Gov'r to all intents & purposes untill such time as I shall appoint another person to be Govern'r thereof. Given under my hand at St James's the 27th day of January 1633.