Rev. Joseph Flynn’s The Catholic Church in New Jersey recently reached 110 years since its original publication. In recognition of this milestone, The Recorder will, over the next several issues, reprint seminal passages from this book. We hope that you will enjoy this foray into New Jersey Catholic historical inquiry of the early twentieth century.

The region between the Hudson and the Delaware rivers, of which little was known beyond the few hamlets near Manhattan, was called "Albania." It offered the greatest attraction to emigrants, because it was "the most improveable part of the province, in respect not only to the land, but to the sea-coast and the Delaware River, the fertility of the soil, the neighborhood of Hudson's river, and, lastly, the fair hopes of rich mines."

Charles II issued a patent to his brother, the Duke of York, in which were included among other lands the provinces of New York and New Jersey. The Dutch, totally unsuspicious and unprepared for war, capitulated to Sir Robert Carre, after articles of agreement had been mutually accepted which secured them in the possession of their property and in the practice of their religion. The Duke of York on his part, thus having secured possession of this vast territory, in consideration of a competent sum of money, granted and conveyed unto Lord Berkeley, baron of Stratton, and Sir George Carteret, of Saltrum, "all that tract of land to the west of Manhattan Island and Long Island, and bounded on the east part by the main sea, and part by Hudson's river, and hath upon the west Delaware bay or river, and extendeth southward to the main ocean as far as Cape May, and to the northward as far as the northermost branch of the said bay or river of Delaware, and crosseth over thence in a straight line to Hudson's river, which said tract of land is hereafter to be called Nova Caesarea, or New Jersey."

This document bears the date of June 23d and 24th, 1664. Berkeley and Carteret, being now sole proprietors of New Jersey, agreed upon a constitution, which by its broad liberality, especially in the matter of religion, was calculated to attract settlers. Article seventh declares: No person qualified, as aforesaid, shall at any time be molested, punished, disquieted, or called in question, for any difference in opinion or practice in matters of religious concernment; but that all and every such person and persons may, from time to time, and at all times, freely and fully have and enjoy his and their judgments and consciences, in matters of religion, throughout the said province, etc., etc.

While the Dutch were in power in New York, no laws adverse to Catholics were enacted, the bigotry afterward dominant being of English origin. The laws promulgated by the Duke of York in 1664 required the establishment of a church in each parish. This was interpreted by Governor Andros and his council as requiring all persons to contribute, whether belonging to the congregation or not, and he asserted that this was not an infringement of the liberty of conscience, "as some pretend." This last was aimed at the Dutch, in the minority in some parishes, who complained that the articles of capitulation, August 7th, 1664, guaranteeing to the Dutch "liberty of their consciences in divine worship and church discipline," were thereby violated.

Colonel Dongan, a Catholic, afterward Earl of Limerick, succeeded Andros in 1683. One of his first acts was to summon a provincial assembly, thus giving to the people of the colony what they had not hitherto enjoyed, a voice in the framing of the laws and the administration of the government. This was the concession of a Catholic proprietor, and was carried into effect by a Catholic governor, at the very time when the colonists of New England were deprived of their charter. The first act of the first assembly of New York was the "charter of libertys," passed October 30th, 1683, and reads as follows: That no person or persons which profess faith in God by Jesus Christ shall, at any time, be any ways molested, punished, disquieted, or called in question for any difference of opinion, or matter of religious concernment, who do nott actually disturb the civil peace of the province, butt that all and every such person or p'sons may, from time to time, and at all times, freely have and fully enjoy, his or their judgements or consciences in matters of religions throughout all the province, they behaving themselves
peacefully and quietly, and nott using this liberty to licentiousness, nor to the civil injury or outward disturbance of others." Another provision was, that whereas all the Christian churches then in the province seemed to be privileged churches, they were thereby secured in their property and discipline, and the like privileges were guaranteed to other Christian churches coming into the province, in regard to divine worship and church discipline.