

CHAPTER 1 DOCUMENTS

The First Charter of Virginia, 1606 (excerpts)

I. JAMES, by the Grace of God, King of *England, Scotland, France, and Ireland*, Defender of the Faith, &c. Whereas our loving and well-disposed Subjects, Sir *Thomas Gates*, and Sir *George Somers*, Knights, *Richard Hackluit*, Clerk, Prebendary of *Westminster*, and *Edward-Maria Wingfield*, *Thomas Hanham* and *Ralegh Gilbert*, Esqrs. *William Parker*, and *George Popham*, Gentlemen, and divers others of our loving Subjects, have been humble Suitors unto us, that We would vouchsafe unto them our Licence, to make Habitation, Plantation, and to deduce a colony of sundry of our People into that part of *America*, commonly called *Virginia*, and other Parts and Territories in *America*, either appertaining unto us, or which are not now actually possessed by any *Christian* Prince or People, situate, lying, and being all along the Sea Coasts, between four and thirty Degrees of *Northerly* Latitude from the Equinoctial Line, and five and forty Degrees of the same Latitude, and in the main Land between the same four and thirty and five and forty Degrees, and the Islands thereunto adjacent, or within one hundred Miles of the Coast thereof;

II. And to that End, and for the more speedy Accomplishment of their said intended Plantation and Habitation there, are desirous to divide themselves into two several Colonies and Companies; The one consisting of certain Knights, Gentlemen, Merchants, and other Adventurers, of our City of *London* and elsewhere, which are, and from time to time shall be, joined unto them, which do desire to begin their Plantation and Habitation in some fit and convenient Place, between four and thirty and one and forty Degrees of the said Latitude, alongst the Coasts of *Virginia*, and the Coasts of *America* aforesaid; And the other consisting of sundry Knights, Gentlemen, Merchants, and other Adventurers, of our Cities of *Bristol* and *Exeter*, and of our Town of *Plimouth*, and of other Places, which do join themselves unto that Colony, which do desire to begin their Plantation and Habitation in some fit and convenient Place, between eight and thirty Degrees and five and forty Degrees of the said Latitude, all alongst the said Coasts of *Virginia* and *America*, as that Coast lyeth:

III. We, greatly commending, and graciously accepting of, their Desires for the Furtherance of so noble a Work, which may, by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of *Christian* Religion to such People, as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages, living in those Parts, to human Civility, and to a settled and quiet Government; DO, by these our Letters Patents, graciously accept of, and agree to, their humble and well intended Desires;

IV. And do therefore, for Us, our Heirs, and Successors, GRANT and agree, that the said Sir *Thomas Gates*, Sir *George Somers*, *Richard Hackluit*, and *Edward-Maria Wingfield*, Adventurers of and for our City of *London*, and all such others, as are, or shall be, joined unto them of that Colony, shall be called the *first Colony*; And they shall and may begin their said first Plantation and Habitation, at any Place upon the said Coast of *Virginia* or *America*, where they shall think fit and convenient, between the said four and thirty and one and forty Degrees of the said Latitude; And that they shall have all the Lands, Woods, Soil, Grounds,

Havens, Ports, Rivers, Mines, Minerals, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever, from the said first Seat of their Plantation and Habitation by the Space of fifty Miles of *English* Statute Measure, all along the said Coast of *Virginia* and *America*, towards the *West* and *Southwest*, as the Coast lyeth, with all the Islands within one hundred Miles directly over against the same Sea Coast;

[...]

And shall and may inhabit and remain there; and shall and may also build and fortify within any the same, for their better Safeguard and Defence, according to their best Discretion, and the Discretion of the Council of that Colony;

[...]

VII. And we do also ordain, establish, and agree, for Us, our Heirs, and Successors, that each of the said Colonies shall have a Council, which shall govern and order all Matters and Causes, which shall arise, grow, or happen, to or within the same several Colonies, according to such Laws, Ordinances, and Instructions, as shall be, in that behalf, given and signed with Our Hand or Sign Manual, and pass under the Privy Seal of our Realm of *England*; Each of which Councils shall consist of thirteen Persons, to be ordained, made, and removed, from time to time, according as shall be directed and comprised in the same Instructions; And shall have a several Seal, for all Matters that shall pass or concern the same several Councils; Each of which Seals, shall have the King's Arms engraven on the one Side thereof, and his Portraiture on the other; And that the Seal for the Council of the said first Colony shall have engraven round about, on the one Side, these Words; *Sigillum Regis Magnæ Britanniæ, Franciæ, & Hiberniæ*; on the other Side this Inscription round about; *Pro Concilio primæ Coloniæ Virginie*. And the Seal for the Council of the said second Colony shall also have engraven, round about the one Side thereof, the aforesaid Words; *Sigillum Regis Magnæ Britanniæ, Franciæ, & Hiberniæ*; and on the other Side; *Pro Concilio Secundæ Coloniæ Virginie*:

VIII. And that also there shall be a Council established here in *England*, which shall, in like Manner, consist of thirteen Persons, to be, for that Purpose, appointed by Us, our Heirs and Successors, which shall be called our *Council of Virginia*; And shall, from time to time, have the superior Managing and Direction, only of and for all Matters, that shall or may concern the Government, as well of the said several Colonies, as of and for any other Part or Place, within the aforesaid Precincts of four and thirty and five and forty Degrees, abovementioned; Which Council shall, in like manner, have a Seal, for Matters concerning the Council or Colonies, with the like Arms and Portraiture, as aforesaid, with this Inscription, engraven round about on the one Side; *Sigillum Regis Magnæ Britanniæ, Franciæ, & Hiberniæ*; and round about the other Side, *Pro Concilio Suo Virginie*.

IX. And moreover, we do Grant and agree, for Us, our Heirs and Successors; that that the said several Councils of and for the said several Colonies, shall and lawfully may, by Virtue hereof, from time to time, without any Interruption of Us, our Heirs or Successors, give and take Order, to dig, mine, and search for all Manner of Mines of Gold, Silver, and Copper, as well within any Part of their said several Colonies, as of the said main Lands on the Backside of the same Colonies; And to Have and enjoy the Gold, Silver, and Copper, to be gotten thereof, to the Use and Behoof of the same Colonies, and the Plantations thereof; Yielding therefore, to Us, our Heirs and Successors, the fifth Part only of all the same Gold and Silver, and the fifteenth Part of all the same Copper, so to be gotten or had, as is aforesaid, without any other Manner of Profit or Account, to be given or yielded to Us, our Heirs, or Successors, for or in Respect of the same:

X. And that they shall, or lawfully may, establish and cause to be made a Coin, to pass current there between the people of those several Colonies, for the more Ease of Traffick and Bargaining between and amongst them and the Natives there, of such Metal, and in such Manner and Form, as the said several Councils there shall limit and appoint.

[...]

XV. Also we do, for Us, our Heirs, and Successors, Declare, by these Presents, that all and every the Persons, being our Subjects, which shall dwell and inhabit within every or any of the said several Colonies and Plantations, and every of their Children, which shall happen to be born within any of the Limits and Precincts of the said several Colonies and Plantations, shall have and enjoy all Liberties, Franchises, and Immunities, within any of our other Dominions, to all Intents and Purposes, as if they had been abiding and born, within this our Realm of *England*, or any other of our said Dominions.

[...]

XVIII. And finally, we do, for Us, our Heirs, and Successors, Grant and agree, to and with the said Sir *Thomas Gates*, Sir *George Somers*, *Richard Hackluit*, *Edward-Maria Wingfield*, and all others of the said first Colony, that We, our Heirs, and Successors, upon Petition in that Behalf to be made, shall, by Letters-patent under the Great Seal of *England*, Give and Grant, unto such Persons, their Heirs, and Assigns, as the Council of that Colony, or the most Part of them, shall, for that Purpose nominate and assign, all the Lands, Tenements, and Hereditaments, which shall be within the Precincts limited for that Colony, as is aforesaid, To be holden of Us, our Heirs, and Successors, as of our Manor at *East-Greenwich* in the County of *Kent*, in free and common Soccage only, and not in Capite:

[...]

[...] In Witness whereof, we have caused these our Letters to be made Patents; Witness Ourself at *Westminster*, the tenth Day of *April*, in the fourth Year of our Reign of *England*, *France*, and *Ireland*, and of *Scotland* the nine and thirtieth.

LUKIN

Per breve de privato Sigillo.

(The complete document can be found in Grau 2009, vol. I, pp. 49-69.)

The Charter of Maryland, 1632 (excerpts).

Charles By the Grace of God, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, &c. To all to whom these Presents shall come greeting.

WHEREAS Our right Trusty and Wellbeloved Subject *Cecilius Caluert* Baron of *Baltimore* in our Kingdom of *Ireland*, Sonne and heire of Sir *George Caluert* Knight, late Baron of *Baltimore*, in the same Kingdome of *Ireland*, pursuing his Fathers intentions, being excited with a laudable and pious zeale for the propagation of the Christian Faith, and the enlargement of our Empire and Dominion, hath humbly besought leave of Vs, by his industry and charge, to transport an ample Colony of the *English* Nation, unto a certaine Countrey hereafter described, in the Parts of *America*, not yet cultivated and planted, though in some parts thereof inhabited by certaine barbarous people, having no knowledge of Almighty God, and hath humbly besought our Royall Majestie to give, grant, and confirme all the said

Countrey, with certaine Priviledges, and Iurisdictions, requisite for the good government, and state of his Colony and Countrey foresaid, to him and his heirs for ever.

KNOW YE therefore, that Wee favouring the Pious, and Noble purpose of the said Barons of *Baltimore*, of our speciall grace, certaine knowledge, and meere motion, have given, granted, and confirmed, and by this our present Charter, for Vs, Our Heires, and Successors, doe give, grant and confirme unto the said *Cecilus*, now Baron of *Baltimore*, his heires and Assignes, all that part of a *Peninsula*, lying in the parts of *America*, betweene the Ocean on the East, and the Bay of *Chesopeack* on the West, and divided from the other part thereof, by a right line drawne from the Promontory or Cape of Land called *Watkins Point*, (situate in the foresaid Bay, neere the river *Wighco*) on the West, unto the maine Ocean on the East; and betweene that bound on the South, unto that part of *Delaware* Bay on the North, which lieth under the fortieth degree of Northerly Latitude from the Equinoctiall, where *New-England* ends; And all that tract of land betweene the bounds aforesaid; that is to say, passing from the said Bay, called *Delaware* Bay, in a right line by the degree aforesaid, unto the true Meridian of the first fountaine of the River of *Pattowmeck*, and from thence trending toward the South unto the farther banke of the fore-said River, and following the West and South side thereof unto a certaine place called *Cinquack*, situate neere the mouth of the said River, where it falls into the Bay of *Chesopeack*, and from thence by a stright line unto the foresaid Promontory, and place called *Watkins Point*, (So that all that tract of land divided by the line aforesaid, drawne betweene the maine Ocean, and *Watkins Point* unto the Promontory called *Cape Charles*, and all its apurtenances, doe remaine intirely excepted to us, our heires, and Successors for ever.)

WEE DOE also grant and confirme unto the said now Lord *Baltimore*, his heires and Assignes, [...] all and singular the like, and as ample rights, Iurisdictions, Priviledges, Prerogatives, Royalties, Liberties, Immunities, Royal rights, and franchises of what kind soever temporall, as well by Sea, as by land, within the Countrey, Iles, Iletts, and limits aforesaid; To have, exercise, use and enjoy the same, as amply as any Bishop of *Durham*, within the Bishoprick, or County *Palatine* of *Durham*, in our Kingdome of *England*, hath at any time heretofore, held, used, or enjoyed, or of right ought, or might had, held, used, or enjoyed.

AND HIM the said now Lord *Baltimore*, his Heires and Assignes, Wee doe by these Presents for Vs, Our Heires and Successors, make, create, and constitute the true and absolute Lords, and Proprietaries of the Countrey aforesaid, and of all other Premises (except before excepted) saving alwayes, the faith and allegiance, and Sovereigne dominion due to Vs, Our Heires and Successors.

[...]

TO BEE holden of Vs, Our Heires, and Successors, Kings of *England*, as of Our Castle of *Windsor*, in our County of *Berkshire*, in free and common soccage, by fealty onely, for all servises, and not in Capite, or by Knights service: YEELDING and paying therefore to Vs, our Heires and Successors, two *Indian* Arrowes of those parts, to be delivered at Our said Castle of *Windsor*, every yeere on the Tuesday in *Easter* weeke; and also the fifth part of all Gold and Siluer Oare within the limits aforesaid, which shall from time to time happen to be found.

NOW THAT the said Countrey thus by Vs granted, and described, may be eminent above all other parts of the said territory, and dignified with larger titles: Know yee that wee of our further grace, certaine knowledge, and meere motion, have thought fit to erected the same Countrey and Ilands into a Province, as out of the fullnesse of Our royall Power, and

Prerogative, Wee doe, for Vs, Our Heires, and Successors, erect, and incorporate them into a Province, and doe call it *Maryland*, and so from henceforth will have it called.

AND FORASMVCH as Wee have hereby made, and ordained the foresaid now Lord Baltemore, the true Lord, and Proprietary of all the Province aforesaid: Know yee therefore moreover, that Wee, reposing especiall trust and confidence in the fidelitie, wisdom, Iustice, and Provident circumspection of the said now Lord *Baltemore*, for Vs, Our Heires and Successors, doe grant free, full, and absolute power, by vertue of these Presents, to him and his heires, for the good and happy government of the said Province, to ordaine, make, enact, and under his and their seales to publish anye Laws whatsoever appertaining either unto the publike State of the said Province, or unto the private utility of particular Persons, according unto their best discretions, of and with the aduise assent and approbation of the Free-men of the said Province, or the greater part of them, or of their delegates or deputies, whom for the enacting of the said Lawes, when, and as often as neede shall require, We will that the said now Lord *Baltemore*, and his heires, shall assemble in such fort and forme, as to him or them shall seem best: And the same lawes duly to execute upon all people, within the said Province, and limits thereof, for the time being, or that shall be constituted under the government, and power of him or them, either sayling towards *Mary-land*, or returning from thence toward *England* or any other of Ours, or forraigne Dominions, by imposition of Penalties, Imprisonment, or any other punishment; yea, if it shall be needfull, and that the quality of the offence require it, by taking away member or life, either by him the said now Lord *Baltemore*, and his heires, or by his or their Deputies, Lieutenants, Iudges, Iustices, Magistrates, Officers, and Ministers to be ordained or appointed, according to the Tenor and true Intention of these Presents:

[...]

(The complete document can be found in Grau 2009, vol. I, pp. 339-381.)

Charter of Carolina, March 24, 1663 (excerpts)

CHARLES the Second, by the grace of God, king of England, Scotland, France, and Ireland, Defender of the Faith, &c., To all to whom these present shall come: Greeting:

1st. Whereas our right trusty, and right well beloved cousins and counsellors, Edward Earl of Clarendon, our high chancellor of England, and George Duke of Albemarle, master of our horse and captain general of all our forces, our right trusty and well beloved William Lord Craven, John, Lord Berkley, our right trusty and well beloved counsellor, Anthony Lord Ashley, chancellor of our exchequer, Sir George Carteret, knight and baronet, vice chamberlain of our household, and our trusty and well beloved Sir William Berkley, knight, and Sir John Colleton, knight and baronet, being excited with a laudable and pious zeal for the propagation of the Christian faith, and the enlargement of our empire and dominions, have humbly besought leave of us, by their industry and charge, to transport and make an ample colony of our subjects, natives of our kingdom of England, and elsewhere within our dominions, unto a certain country hereafter described, in the parts of America not yet cultivated or planted, and only inhabited by some barbarous people, who have no knowledge of Almighty God.

2d. [...] of our special grace, certain knowledge and meer motion, have given, granted and confirmed, and by this our present charter, for us, our heirs and successors, do give, grant and confirm unto the said Edward Earl of Clarendon, [etc.], all that territory or tract of

ground, scituate, lying and being within our dominions of America, extending from the north end of the island called Lucke island, which lieth in the southern Virginia seas, and within six and thirty degrees of the northern latitude, and to the west as far as the south seas, and so southerly as far as the river St. Matthias, which bordereth upon the coast of Florida, and within one and thirty degrees of northern latitude, and so west in a direct line as far as the south seas aforesaid; together with all and singular ports, harbours, bays, rivers, isles and islets belonging to the country aforesaid; and also all the soil, lands, fields, woods, mountains, fields, lakes, rivers, bays and islets, scituate or being within the bounds or limits aforesaid, with the fishing of all sorts of fish, whales, sturgeons and all other royal fishes in the sea, bays, islets and rivers within the premises, and the fish therein taken; and moreover all veins, mines, quarries, as well discovered as not discovered, of gold, silver, gems, precious stones, and all other whatsoever, be it of stones, metals, or any other thing whatsoever, found or to be found within the countries, isles and limits aforesaid.
[...]

4th. To have, use, exercise and enjoy, and in as ample manner as any bishop of Durham in our kingdom of England, ever heretofore have held, used or enjoyed, or of right ought or could have, use, or enjoy. [...]

5d. [...] and forasmuch as we have hereby made and ordained the aforesaid Edward Earl of Clarendon, [etc.], the true lords and proprietors of all the province aforesaid; Know ye, therefore moreover that we, reposing especial trust and confidence in their fidelity, wisdom, justice and provident circumspection, for us, our heirs and successors, do grant full and absolute power, by virtue of these presents, to them the said Edward Earl of Clarendon, [etc.], for the good and happy government of the said province, to ordain, make, enact, and under their seals to publish any laws whatsoever, either appertaining to the publick state of the said province, or to the private utility of particular persons, according to their best discretion, of and with the advice, assent and approbation of the freemen of the said province, or of the greater part of them, or of their delegates or deputies, whom for enacting of the said laws, when and as often as need shall require, we will that the said Edward Earl of Clarendon, [etc.], shall from time to time assemble in such manner and form as to them shall seem best, and the same laws duly to execute upon all people within the said province and limits thereof, for the time being, or which shall be constituted under the power and government of them or any of them, either sailing towards the said province of Carolina, or returning from thence towards England, or any other of our, or foreign dominions, by imposition of penalties, imprisonment or any other punishment; [...] *Provided nevertheless*, that the said laws be consonant to reason, and as near as may be conveniently, agreeable to the laws and customs of this our kingdom of England.
[...]

(The complete document can be found in Grau 2009, vol. I, pp. 625-653.)

Charter of the Province of Pennsylvania, 1680 (excerpts)

CHARLES THE SECOND, BY THE GRACE of god, King of England, Scotland, France, and Ireland, defender of the faith, &c. To all whome these presents shall come, greeting. Whereas our Trustie and well beloved Subiect William Penn, Esquire, sonn and heire of Sir William Penn, deceased, out of a commendable desire to enlarge our English Empire, and promote such vsefull comodities as may bee of benefitt to vs and our Dominions, as alsoe to reduce the

Savage Natives by gentle and iust manners to the love of civill Societie and Christian Religion hath humbly besought leave of vs to transport an ample Colonie vnto a certaine Countrey hereinafter described, in the partes of America not yet cultivated and planted; And hath likewise humbly besought our Royall Maiestie to give, grant, and confirme all the said Countrey, with certaine priviledges and Jurisdiccons requisite for the good Government and safetie of the said Countrey and Colonie, to him and his heires forever: [...] In consideration thereof of Our special grace, certaine knowledge and meere motion, Have Given and granted, and by this Our present Charter, for vs, Our heires and Successors, Doe give and grant vnto the said William Penn, his heires and assignes All that Tract or parte of land in America, with all the Islands therein conteyned, as the same is bounded on the East by Delaware River, from twelve miles distance, Northwarde of New Castle Towne vnto the three and fortieth degree of Northerne Latitude if the said River doeth extend soe farre Northwarde; [...]and him the said William Penn, his heires and Assignes, Wee doe, by this our Royall Charter, for vs, our heires and Successors, make, Create and Constitute the true and absolute Proprietaries of the Countrey aforesaid, and of all other, the premisses, saving alwayes to vs, Our heires and Successors, the faith and allegiance of the said William Penn, his heires and assignes, and of all other, the5 proprietaries, Tenants and Inhabitants that are, or shall be within the Territories and Precincts aforesaid; and Saving also vnto vs, our heires and Successors, the Sovreignty of the aforesaid Countrey; TO HAVE, hold, possesse and enjoy the said Tract of land, Countrey, Isles, Inletts and other the premisses, vnto the said William Penn, his heires and assignes, To the only proper vse and behoofe of the said William Penn, his heires and assignes forever. To bee holden of vs, our heires and Successors, Kings of England, as of our Castle of Windsor, in our County of Berks, in free and comon Socage by fealty only for all services, and not in Capite or by Knights service, Yeelding and paying therefore to vs, our heires and Successors, two beaver Skins to bee delivered att our said Castle of Windsor, on the first day of Januarie, in every yeare; and also the fifth parte of all Gold and Silver Oare, which shall from time to time happen to be found within the Limitts aforesaid, cleare of all Charges. [...]

(The complete document can be found in Grau 2009, vol. II, pp. 297-321.)

Commission of Sir Edmund Andros for the Dominion of New England, 1688 (excerpts)

James the Second by the Grace of God King of England, Scotland France and Ireland Defender of the Faith &c. To our trusty and welbeloved Sr Edmund Andros Knt Greeting: Whereas by our Commission under our Great Seal of England bearing date the third day of June in the second year of our reign wee have constituted and appointed you to be our Captain Generall and Governor in Chief in and over all that part of our territory and dominion of New England in America known by the names of our Colony of the Massachusetts Bay, our Colony of New Plymouth, our Provinces of New Hampshire and Main and the Narraganset Country or King's Province. And whereas since that time Wee have thought it necessary for our service and for the better protection and security of our subjects in those parts to join and annex to our said Government the neighboring Colonies of Road Island and Connecticutt, our Province of New York and East and West Jersey, with the territories thereunto belonging, as wee do hereby join annex and unite the same to our said government and dominion of New England [...] (our province of Pensilvania and country of Delaware only excepted) [...]

And for your better guidance and direction Wee doe hereby require and command you to do & execute all things in due manner that shall belong unto the said office and the trust wee have reposed in you, according to the severall powers instructions and authoritys mentioned in these presents, or such further powers instructions and authoritys as you shall herewith receive or which shall at any time hereafter be granted or appointed you under our signet and sign manual or by our order in our Privy Councill and according to such reasonable lawes and statutes as are now in force or such others as shall hereafter be made and established within our territory & dominion aforesaid.

[...]

And Wee do hereby give and grant unto you full power and authority to suspend any member of our Councill from sitting voting and assisting therein, as you shall find just cause for so doing.

[...]

And Wee do hereby give and grant unto you full power and authority, by and with the advise and consent of our said Councill or the major part of them, to make constitute and ordain lawes statutes and ordinances for the public peace welfare and good governmt of our said territory & dominion and of the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our heires and successors. Which said lawes statutes and ordinances are to be, as near as conveniently may be, agreeable to the lawes & statutes of this our kingdom of England: Provided that all such lawes statutes and ordinances of what nature or duration soever, be within three months, or sooner, after the making of the same, transmitted unto Us, under our Seal of New England, for our allowance or disapprobation of them, as also duplicates thereof by the next conveyance.

And Wee do by these presents give and grant unto you full power and authority by and with the advise and consent of our said Councill, or the major part of them, to impose assess and raise and levy rates and taxes as you shall find necessary for the support of the government within our territory and dominion of New England, to be collected and levyed and to be employed to the uses aforesaid in such manner as to you & our said Councill or the major part of them shall seem most equall and reasonable.

[...]

And wee do by these presents ordain constitute and appoint you or the Commander in Cheif for the time being, and the Councill of our said territory & dominion for the time being, to be a constant and settled Court of Record for ye administration of justice to all our subjects inhabiting within our said Territory and Dominion, in all causes as well civill as criminall with full power and authority to hold pleas in all cases, from time to time, as well in Pleas of the Crown and in all matters relateing to the conservation of the peace and punishment of offenders, as in Civill causes and actions between party and party, or between us and any of our subjects there, whether the same do concerne the realty and relate to any right of freehold & inheritance or whether the same do concerne the personality and relate to matter of debt contract damage or other personall injury; and also in all mixt actions which may concern both realty and personalty; [...]

[...]

And Wee do hereby give and graunt unto you full power where you shall see cause and shall judge any offender or offenders in capitall and criminall matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon such offenders and to remitt such fines & forfeitures, treason and willfull murder only excepted, in which case you shall

likewise have power upon extraordinary occasions to grant reprieves to the offenders therein untill and to the intent our pleasure may be further known.
[...]

(The complete document can be found in Grau 2009, vol. II, pp. 483-501.)

The Mayflower Compact, 1620

In ye name of God, Amen. We whose names are underwritten, the loyall subjects of our dread soveraigne Lord, King James, by ye grace of God, of Great Britaine, Franc, & Ireland, King, defender of ye faith, &c. haveing undertaken, for ye glorie of God, and advancement of ye Christian faith, and honour of our King & countrie, a voyage to plant ye first colonie in ye Northerne parts of Virginia, doe by these presents, solemnly & mutually, in ye presence of God, and one of another, covenant & combeene our selves together into a civill body politick, for our better ordering & preservation & furtherance of ye ends aforesaid; and by vertue hearof to enacte, constitute, and frame such just & equall lawes, ordinances, acts, constitutions, & offices, from time to time, as shall be thought most meete & convenient for ye generall good of ye Colonie; unto which we promise all due submission and obedience. In witnes wherof we have hereunder subscribed our names at Cap-Codd ye 11. of November, in ye year of ye raigne of our soveraigne lord, King James, of England, France, & Ireland ye eighteenth, and of Scotland the fiftie fourth, Ano: Dom. 1620.

[It includes the names of 27 men.]

Fundamental Orders of Connecticut, 1638 (excerpts)

FORASMUCH as it hath pleased the Almighty God by the wise disposition of his diuine prudence so to Order and dispose of things that we the Inhabitants and Residents of Windsor, Harteford and Wethersfield are now cohabiting and dwelling in and vpon the River of Conectecotte and the Lands thereunto adioyning; And well knowing where a people are gathered together the word of God requires that to mayntayne the peace and vnion of such a people there should be an orderly and decent Gouverment established according to God, to order and dispose of the affayres of the people at all seasons as occation shall require; doe therefore assotiate and conioyne our selues to be as one Publike State or Commonwelth; and doe, for our selues and our Successors and such as shall be adioyned to vs att any tyme hereafter, enter into Combeeneration and Confederation together, to mayntayne and prsearue the liberty and purity of the gospell of our Lord Jesus wch we now prfesse, as also the disciplyne of the Churches, wch according to the truth of the said gospell is now practised amongst vs; As also in or Ciuell Affaires to be guided and gouerned according to such Lawes, Rules, Orders and decrees as shall be made, ordered & decreed, as followeth:-

1. It is Ordered, sentenced and decreed, that there shall be yerely two generall Assemblies or Courts, the one the second thursday in Aprill, the other the second thursday in September, following; the first shall be called the Courte of Election, wherein shall be yerely Chosen frō tyme to tyme soe many Magistrats and other publike Officers as shall be found requisitte: Whereof one to be chosen Gouvernour for the yeare ensueing and vntill another be chosen,

and noe other Magestrate to be chosen for more then one yeare; pruided allwayes there be sixe chosen besides the Gouvernour; wch being chosen and sworne according to an Oath recorded for that purpose shall haue power to administer iustice according to the Lawes here established, and for want thereof according to the rule of the word of God; wch choice shall be made by all that are admitted freemen and haue taken the Oath of Fidellity, and doe cohabitte wthin this Jurisdiction, (hauing beene admitted Inhabitants by the maior prt of the Towne wherein they liue,) or the mayor prte of such as shall be then prsent.

2. It is Ordered, sentensed and decreed, that the Election of the aforesaid Magestrats shall be on this manner: euery prson prsent and quallified forchoyse shall bring in (to the prsons deputed to receaue thē) one single papr wth the name of him written in yt whom he desires to haue Gouvernour, and he that hath the greatest nūber of papers shall be Gouvernor for that yeare. And the rest of the Magestrats or publike Officers to be chosen in this manner: The Secretary for the tyme being shall first read the names of all that are to be put to choise and then shall seuerally nominate them distinctly, and euery one that would haue the prson nominated to be chosen shall bring in one single paper written vppon, and he that would not haue him chosen shall bring in a blanke: and euery one that hath more written papers then blanks shall be a Magistrat for that yeare; wch papers shall be receaued and told by one or more that shall be then chosen by the court and sworne to be faythfull therein; but in case there should not be sixe chosen as aforesaid, besides the Gouvernor, out of those wch are nominated, then he or they wch haue the most written paprs shall be a Magestrate or Magestrats for the ensueing yeare, to make vp the foresaid nūber.

3. It is Ordered, sentenced and decreed, that the Secretary shall not nominate any prson, nor shall any prson be chosen newly into the Magestracy wch was not prpownded in some Generall Courte before, to be nominated the next Election; and to that end yt shall be lawfull for ech of the Townes aforesaid by their deputyes to nominate any two whō they conceaue fitte to be put to election; and the Courte may ad so many more as they iudge requisitt.

4. It is Ordered, sentenced and decreed that noe prson be chosen Gouvernor aboue once in two yeares, and that the Gouvernor be always a mēber of some approved congregation, and formerly of the Magestracy wthin this Jurisdiction; and all the Magestrats Freemen of this Commonwelth: and that no Magestrate or other publike officer shall execute any prte of his or their Office before they are seuerally sworne, wch shall be done in the face of the Courte if they be prsent, and in case of absence by some deputed for that purpose.

5. It is Ordered, sentenced and decreed, that to the aforesaid Courte of Election the seuerall Townes shall send their deputyes, and when the Elections are ended they may pceed in any publike searvice as at other Courts. Also the other Generall Courte in September shall be for makeing of lawes, and any other publike occation, wch concerns the good of the Commonwelth.

[...]

9. It is ordered and decreed, that the deputyes thus chosen shall haue power and liberty to appoynt a tyme and a place of meeting together before any Generall Courte to aduise and consult of all such things as may concerne the good of the publike, as also to examine their owne Elections, whether according to the order, and if they or the gretest prte of them find any election to be illegall they may seclud such for prsent frō their meeting, and returne the same and their resons to the Courte; and if yt proue true, the Courte may fyne the prty or prtyes so intruding and the Towne, if they see cause, and give out a warrant to goe to a newe election in a legall way, either in prte or in whole. Also the said deputyes shall haue power to fyne any that shall be disorderly at their meetings, or for not comming in due tyme or place

according to appoyntment; and they may returne the said fynes into the Courte if yt be refused to be paid, and the tresurer to take notice of yt, and to estreete or levy the same as he doth other fynes.

10. It is Ordered, sentenced and decreed, that euery Generall Courte, except such as through neglecte of the Gournor and the greatest prte of Magestrats the Freedmen themselves doe call, shall consist of the Gouvernor, or some one chosen to moderate the Court, and 4 other Magestrats at lest, wth the mayor prte of the deputyes of the seuerall Townes legally chosen; and in case the Freemen or mayor prte of thē, through neglect or refusall of the Gouvernor and mayor prte of the magestrats, shall call a Courte, yt shall consist of the mayor prte of Freemen that are prsent or their deputyes, wth a Moderator chosen by thē: In wch said Generall Courts shall consist the supreme power of the Commonwealth, and they only shall haue power to make laws or repeale thē, to graunt leuyes, to admitt of Freemen, dispose of lands vndisposed of, [sic] to seuerall Townes or prsons, and also shall haue power to call ether Courte or Magestrate or any other prson whatsoever into question for any misdemeanour, and may for just causes displace or deale otherwise according to the nature of the offence; and also may deale in any other matter that concerns the good of this common welth, excepte election of Magestrats, wch shall be done by the whole boddy of Freemen.

In wch Courte the Gouvernour or Moderator shall haue power to order the Courte to giue liberty of spech, and silence vnreasonable and disorderly speakeings, to put all things to voate, and in case the vote be equall to haue the casting voice. But non of these Courts shall be adiorned or dissolued without the consent of the maior prte of the Court.

11. It is ordered, sentenced and decreed, that when any Generall Courte vppon the occations of the Commonwealth haue agreed vppon any summe or sommes of mony to be leuyed vppon the seuerall Townes wthin this Jurisdiction, that a Committee be chosen to sett out and appoynt wt shall be the prportion of euery Towne to pay of the said leuy, prvided the Committees be made vp of an equall nūber out of each Towne.

14th January, 1638, the 11 Orders abouesaid are voted.

The Oath of the Gournor, for the [prsent.]

I N. W. being now chosen to be Gournor wthin this Jurisdiction, for the yeare eusueing, and vntil a new be chosen, doe sweare by the greate and dreadfull name of the everliueing God, to prmote the publicke good and peace of the same, according to the best of my skill; as also will mayntayne all lawfull priuiledges of this Commonwealth; as also that all wholsome lawes that are or shall be made by lawfull authority here established, be duly executed; and will further the execution of Justice according to the rule of Gods word; so helpe me God, in the name of the Lo: Jesus Christ.

The Oath of a Magestrate, for the prsent

I, N. W. being chosen a Magestrate wthin this Jurisdiction for the yeare ensueing, doe sweare by the great and dreadfull name of the euerliueing God, to prmote the publike good and peace of the same, according to the best of my skill, and that I will mayntayne all the lawfull priuiledges thereof according to my vnderstanding, as also assist in the execution of all such wholsome lawes as are made or shall be made by lawfull authority heare established, and will further the execution of Justice for the tyme aforesaid according to the righteous rule of Gods word; so helpe me God, etc.



(The complete document can be found in Grau 2009, vol. II, pp. 419-431.)