

# Handout B: Excerpts from Colonial Charters

## Document 1: The First Charter of Virginia, 1606

### Source:

[http://avalon.law.yale.edu/17th\\_century/va01.asp](http://avalon.law.yale.edu/17th_century/va01.asp)

Text
We [King James], greatly commending, and graciously accepting of, [Adventurers'] 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, [Adventurers'] humble and well-intended Desires;
And do therefore, for Us, our Heirs, and Successors, GRANT and agree, that the said [Adventurers] . . . shall and may begin their said first Plantation and Habitation, at any Place upon the said-Coast of Virginia or America, . . . and that they shall have all the Lands, Woods, Soil, Grounds, Havens, Ports, Rivers, Mines, Minerals, Marshes, Waters, Fishings, Commodities . . . whatsoever . . . shall and may inhabit and remain there; and shall and may also build and fortify within any the same, for their better Safeguard and Defense, according to their best Discretion, and the Discretion of the Council of that Colony. . . .
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 [the king's] Hand. . . . 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. . . .
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.

## Document 2: The Charter of Maryland, 1632

### Source:

[http://avalon.law.yale.edu/17th\\_century/ma01.asp](http://avalon.law.yale.edu/17th_century/ma01.asp)

Text
<p><b>VII.</b> And forasmuch as We [King Charles] have above made and ordained the aforesaid now Baron of Baltimore, the true Lord and Proprietary of the whole Province aforesaid, Know Ye therefore further, that We . . . do grant unto the said now Baron, (in whose Fidelity, Prudence, Justice, and provident Circumspection of Mind, We repose the greatest Confidence) and to his Heirs, for the good and happy Government of the said Province, free, full, and absolute Power, by the Tenor of these Presents, to Ordain, Make, and Enact Laws, of what Kind soever, according to their sound Discretions . . . of and with the Advice, Assent, and Approbation of the Free-Men of the same Province, or the greater Part of them, or of their Delegates or Deputies, whom We will shall be called together for the framing of Laws. . . .</p>
<p><b>VII.</b> And forasmuch as We [King Charles] have above made and ordained the aforesaid now Baron of Baltimore, the true Lord and Proprietary of the whole Province aforesaid, Know Ye therefore further, that We . . . do grant unto the said now Baron, (in whose Fidelity, Prudence, Justice, and provident Circumspection of Mind, We repose the greatest Confidence) and to his Heirs, for the good and happy Government of the said Province, free, full, and absolute Power, by the Tenor of these Presents, to Ordain, Make, and Enact Laws, of what Kind soever, according to their sound Discretions . . . of and with the Advice, Assent, and Approbation of the Free-Men of the same Province, or the greater Part of them, or of their Delegates or Deputies, whom We will shall be called together for the framing of Laws. . . .</p>
<p><b>X.</b> We . . . do firmly charge, constitute, ordain, and command, that the said Province be of our Allegiance; and that all and singular the Subjects . . . and the Children of them, and of others their Descendants, whether already born there, or hereafter to be born, be-and shall be Natives and Liege-Men of Us, our Heirs and Successors, of our Kingdom of England and Ireland; and in all Things shall be held, treated, reputed, and esteemed as the faithful Liege-Men of Us, and our Heirs and Successors, born within our Kingdom of England . . . and other our Dominions, to inherit, or otherwise purchase? Receive, take, have, hold, buy, and possess, and the same to use and enjoy, and the same to give, sell, alien and bequeath; and likewise all Privileges, Franchises and Liberties of this our Kingdom of England, freely, quietly, and peaceably to have and possess, and the same may use and enjoy in the same manner as our Liege-Men born, or to be born within our said Kingdom of England, without Impediment, Molestation, Vexation, Impeachment, or Grievance of Us, or any of our Heirs or Successors; any Statute, Act, Ordinance, or Provision to the contrary thereof, notwithstanding.</p>
<p><b>XI.</b> Furthermore, That our Subjects may be incited to undertake this Expedition with a ready and cheerful mind: Know Ye, that We, of our especial Grace, certain Knowledge, and mere Motion, do, by the Tenor of these Presents, give and grant, as well as to the aforesaid Baron of Baltimore, and to his Heirs, as to all other Persons who shall from Time to Time repair to the said Province, either for the Sake of Inhabiting, or of Trading with the Inhabitants of the Province aforesaid, full License to Ship and Lade in any the Ports of Us. . . .</p>

## Document 3: The Massachusetts Body of Liberties, 1641

### Source:

[http://avalon.law.yale.edu/17th\\_century/ma01.asp](http://avalon.law.yale.edu/17th_century/ma01.asp)

### Note:

The Massachusetts General Court was a representative law-making body that had been established in 1634. The General Court also sat in judgment of judicial appeals cases.

Text
1. No mans life shall be taken away, no mans honour or good name shall be stayned, no mans person shall be arested, restrayned, banished, dismembred, nor any wayes punished, no man shall be deprived of his wife or children, no mans goods or estaite shall be taken away from him, nor any way indammaged under colour of law or Countenance of Authoritie, unlesse it be by vertue or equitie of some expresse law of the Country waranting the same, established by a generall Court and sufficiently published. . . .
2. Every person within this Jurisdiction, whether Inhabitant or forreiner shall enjoy the same justice and law, that is generall for the plantation, which we constitute and execute one towards another without partialitie or delay. . .
8. No mans Cattel or goods of what kinde soever shall be pressed or taken for any publique use or service, unlesse it be by warrant grounded upon some act of the generall Court, nor without such reasonable prices and hire as the ordinarie rates of the Countrie do afford. And if his Cattle or goods shall perish or suffer damage in such service, the owner shall be suffitiently recompenced. . . .
12. Every man whether Inhabitant or fforreiner, free or not free shall have libertie to come to any publique Court, Councel, or Towne meeting, and either by speech or writeing to move any lawfull, seasonable, and materiall question, or to present any necessary motion, complaint, petition, Bill or information, whereof that meeting hath proper cognizance, so it be done in convenient time, due order, and respective manner. . . .

## Document 4: Frame of Government of Pennsylvania, 1682 (William Penn)

### Source:

[http://avalon.law.yale.edu/17th\\_century/pa04.asp](http://avalon.law.yale.edu/17th_century/pa04.asp)

Text
Now know ye, that for the well-being and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned . . . I, the said William Penn, have declared . . . all the freemen, planters and adventurers of, in and to the said province, these liberties, franchises, and properties, to be held, enjoyed and kept by the freemen, planters, and inhabitants of the said province of Pensilvania for ever. . . .
II. That the freemen of the said province shall . . . chuse out of themselves seventy-two persons of most note for their wisdom, virtue and ability, who shall meet, on the tenth day of the first month next ensuing, and always be called, and act as, the provincial Council of the said province. . . .
XXIV. And lastly, that I, the said William Penn . . . do hereby solemnly declare, grant and confirm, that neither I, my heirs, nor assigns, shall procure or do any thing or things, whereby the liberties, in this charter contained and expressed, shall be infringed or broken. . . .
Laws Agreed Upon in England, &c.
. That the charter of liberties . . . shall be for ever held for fundamental in the government thereof, according to the limitations mentioned in the said charter.
II. That every inhabitant in the said province, that is or shall be, a purchaser of one hundred acres of land, or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person, that hath been a servant, or bonds-man, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artifices, or other resident in the said province, that pays scot and lot to the government; shall be deemed and accounted a freeman of the said province: and every such person shall, and may, be capable of electing, or being elected, representatives of the people, in provincial Council, or General Assembly, in the said province.
IV. That no money or goods shall be raised upon, or paid by, any of the people of this province by way of public tax, custom or contribution, but by a law, for that purpose made; and whoever shall levy, collect, or pay any money or goods contrary hereunto, shall be held a public enemy to the province and a betrayer of the liberties of the people thereof.
V. That all courts shall be open, and justice shall neither be sold, denied nor delayed.
VI. That, in all courts all persons of all persuasions may freely appear in their own way, and according to their own manners and there personally plead their own cause themselves; or, if unable, by their friends. . . . But before the complaint of any person be received, he shall solemnly declare in court, that he believes, in his conscience, his cause is just.
VII. That all pleadings, processes and records in courts, shall be short, and in English, and in an ordinary and plain character, that they may be understood, and justice speedily administered.
VIII. That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighborhood. . . .
IX. That all fees in all cases shall be moderate, and settled by the provincial Council, and General Assembly. . . .
XVII. That all briberies and extortion whatsoever shall be severely punished.

XVIII. That all fines shall be moderate, and saving men's contentments, merchandise, or wainage. . . .

XXXV. That all persons living in this province, who confess and acknowledge the one Almighty and eternal God, to be the Creator, Upholder and Ruler of the world; and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall, in no ways, be molested or prejudiced for their religious persuasion, or practice, in matters of faith and worship, nor shall they be compelled, at any time, to frequent or maintain any religious worship, place or ministry whatever.