

## APPENDICES

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### APPENDIX I

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#### CHARTER OF THE PROVINCE OF PENNSYLVANIA

Charles the Second By the grace of God King of England Scotland France and Ireland defender of the faith &c To all to whome these presents shall come Greeting Whereas Our Trustie and welbeloved Subject William Penn Esquire sonn and heire of Sir William Penn deceased Out of a commendable desire to Enlarge Our English Empire and promote such usefull comodities as may bee of benefitt to us 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 humbley besought leave of us to transport an ample colonie unto a certaine Countrey hereinafter described in the Partes of America not yet cultivated and planted And hath likewise humbley besought Our Royall Majestie to give grant and confirme all the said Countrey with certain Priviledges and Jurisdictions requisite for the good Government and safetie of the said Countrey and Colonie to him and his heires forever.

[1] Know yee therefore that wee favouring the Petition and good purpose of the said William Penn and haveing regard to the memorie and meritt of his late father in divers services and perticularly to his Conduct courage and discretion under our dearest Brother James Duke of Yorke in that Signall Battell and victorie fought and obteyned against the Dutch fleete comanded by the Heer Van Opdam in the yeare One thousand six hundred sixtie five In consideration thereof Our speciall grace certaine knowledge and meere motion Have Given

and granted and by this Our present Charter for us Our heires and Successors Doe give and grant unto 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 unto the three and fortieth degree of Northern Latitude if the said River doeth extend soe farre Northwards But if the said River shall not extend so farre Northward then by the said River soe farr as it doth extend and from the head of the said River the Easterne Bounds are to bee determined by a Meridian Line to bee drawne from the head of the said River unto the said three and fortieth degree The said Lands to extend westwards five degrees in Longitude to bee computed from the said Easterne Bounds and the said Lands to bee bounded on the North by the beginning of the three and fortieth degree of Northern Latitude and on the South by a Circle drawne at twelve miles distance from New Castle Northwards and westwards unto the beginning of the fortieth degree of Northerne Latitude and then by a streight line westwards to the Limitt of Longitude abovementioned

[2] We doe also give and grant unto the said William Penn his heires and assignes the free and undisturbed use and continuance in and passage into and out of all and singuler Ports harbours Bayes waters Rivers Isles and Inletts belonging unto or leading to and from the Countrey or Islands aforesaid And all the soyle lands fields woods underwoods Mountaines hills fenns Isles Lakes Rivers waters Rivuletts Bays and Inletts scituate or being within or belonging unto the Limitts and Bounds aforesaid together with the fishing of all sortes of fish whales Sturgeons and all Royall and other fishes in the Sea Bayes Inletts waters or Rivers within the premisses and the fish therein taken and alsoe all veines Mines and Quarries as well discovered as not discovered of Gold Silver Gemms and pretious Stones and all other whatsoever bee it stones Mettalls or of any other thing or matter whatsoever found or to bee found within the Countrey Isles or Limitts aforesaid

[3] and him the said William Penn his heires and Assignes We doe by this our Royall Charter for us our heires and Successors make Create and constitute the true and absolute Proprietaries of the

Country aforesaid and of all other the premisses saving alwayes to us Our heires and Successors the faith and allegiance of the said William Penn his heires and assignes and of all other the Proprietaries Tenants and Inhabitants that are or shall be within the Territories and Precincts aforesaid and Saving also unto us our heires and Successors the Sovereignty of the aforesaid Country To have hold and possesse and enjoy the said Tract of Land Country Isles Inletts and other the premisses unto the said William Penn his heires and assignes To the only proper use and behoofe of the said William Penn his heires and assignes forever To bee holden of us 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 us 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 bee found within the Limitts aforesaid cleare of all Charges and of our further grace certaine knowledge and meere mocion wee have thought fitt to Erect and wee doe hereby erect the aforesaid Country and Islands into a Province and Seigniorie and doe call itt Pensilvania and soe from henceforth wee will have itt called

[4] And forasmuch as wee have hereby made and ordeyned the aforesaid William Penn his heires and assignes the true and absolute Proprietaries of all the Lands and Dominions aforesaid Know yee therefore that wee reposing speciall trust and Confidence in the fidelitie wisdomes Justice and provident circumspection of the said William Penn for us our heires and Successors Doe grant free full and absolute power by vertue of these presents to him and his heires and to his and their Deputies and Lieutenants for the good and happy government of the said Country to ordeyne make Enact and under his and their Seales to publish any Lawes whatsoever for the raising of money for the publick use of the said province or for any other End apperteyning either unto the publick state peace or safety of the said Country or unto the private utility of perticuler persons according unto their best discretions by and with the advice assent and approbation of the freemen of the said Country or the greater parte of them

or of their Delegates or Deputies whom for the Enacting of the said Lawes when and as often as need shall require Wee will that the said William Penn and his heires shall assemble in such sort and forme as to him and them shall seeme best and the same Lawes duely to execute unto and upon all People within the said Countrey and limitts thereof

[5] And Wee doe likewise give and grant unto the Said William Penn and his heires and to his and their Deputies and Lieutenants such power and authoritie to appoint and establish any Judges and Justices Magistrates and Officers whatsoever for what Causes soever for the probates of wills and for the granting of Administrations within the precincts aforesaid and with what Power soever and in such forme as to the said William Penn or his heires shall seem most convenient Alsoe to remitt release pardon and abolish whether before Judgement or after all Crimes and Offences whatsoever comitted within the said Countrey against the said Lawes Treason and wilfull and malicious Murder onely excepted and in those Cases to Grant Reprieves untill Our pleasure may bee knowne therein and to doe all and every other thing and things which unto the compleate establishment of Justice unto Courts and Tribunalls formes of Judicature and manner of Proceedings doe belong altho in these presents express mencion bee not made thereof And by Judges by them delegated to award Processe hold pleas and determine in all the Said Courts and Tribunalls all Actions Suits and Causes whatsoever as well Criminall as Civill personall reall and mixt which Lawes soe as aforesaid to bee published Our pleasure is and soe wee enioyne require and comand shall bee most absolute and avaylable in Law and that all the Leige people and subjects of us Our heires and successors doe observe and keepe the same inviolable in those partes soe farras they concerne them under the paine therein expressed or to bee expressed Provided Nevertheles that the said Lawes bee consonant to reason and bee not repugnant or contrarie but as neare as conveniently may bee agreeable to the Lawes Statutes and rights of this our Kingdome of England And Saveing and reserving to us Our heires and Successors the receiving heareing and determining of the Appeale and Appeales of all or any Person or Persons of in or belonging to the Territories aforesaid or touching any Judgement to bee there made or given

[6] And forasmuch as in the Government of soe great a Countrey sudden Accidents doe often happen whereunto itt will bee necessarie to apply a remedie before the freeholders of the said Province or their Delegates or Deputies can bee assembled to the makeing of Lawes neither will itt be convenient that instantly upon every such emergent occasion soe greate a multitude should be called together Therefore for the better Government of the said Countrey wee will and Ordeyne and by these presents for us our heires and Successors Doe grant unto the said William Penn and his heires by themselves or by their Magistrates and Officers in that behalfe duely to bee ordeyned as aforesaid to make and constitute fitt and wholsome Ordinances from time to time within the said Countrey to bee kept and observed as well for the preservacion of the peace as for the better government of the people there inhabiting and publickly to notifie the same to all persons whome the same doeth or any way may concerne which Ordinances our will and pleasure is shall bee observed inviolably within the said Province under paines therein to bee expressed soe as the said ordinances bee consonant to reason and bee not repugnant nor contrary but soe farre as conveniently may bee agreeable with the Lawes of our Kingdome of England and soe as the said ordinances be not extended in any sort to bind charge or take away the right or Interest of any person or persons for or in their Life members freehold goods or Chattells And our further will and pleasure is that the Laws for regulateing and governing of Properties within the said Province as well for the descent and enioyment of Lands as likewise for the enioyment and succession of goods and Chattells and likewise as to felonies shall bee and continue the Same as they shall bee for the time being by the generall Course of the Law in our Kingdome of England untill the said Lawes shall bee altered by the said William Penn his heires or assignes and by the freemen of the said Province their Delegates or Deputies or the greater part of them

[7] And to the End the said William Penn or heires or other the Planters Owners or Inhabitants of the said Province may not att any time hereafter by misconstrucion of the powers aforesaid through inadvertiencie or designe depart from that faith and due allegiance which by the Lawes of this our Realme of England they and all our

Subjects in our Dominions and Territories alwayes owe unto us our heires and Successors by colour of any Extent or Largenesse of Powers hereby given or pretended to bee given or by force or colour of any lawes hereafter to bee made in the said Province by vertue of any such powers Our further will and pleasure is that a transcript or Duplicate of all lawes which shall bee soe as aforesaid made and published within the said province shall within five yeares after the makeing thereof be transmitted and delivered to the privy Councell for the time being of us our heires and Successors And if any of the said Lawes within the space of six moneths after that they shall be soe transmitted and delivered be declared by us our heires or Successors in Our or their Privy Councell inconsistent with the Sovereignty or Lawfull prerogative of us our heires or Successors or contrary to the faith and allegiance due by the Legall Government of this Realme from the said William Penn or his heires or of the Planters and Inhabitants of the said Province and that thereupon any of the said Lawes shall bee adjudged and declared to bee void by us our heires or Successors under our or their Privy Seale and then and from thenceforth such Lawes concerning which such Judgement and declaration shall bee made shall become voyd otherwise the said Lawes soe transmitted shall remaine and stand in full force according to the true intent and meaning thereof

[8] Furthermore that this new Colony may the more happily increase by the multitude of People resorting thither Therefore wee for us our heires and Successors doe give and grant by these presents power Licence and Libertie unto all the Liege people and subjects both present and future of us our heires and Successors excepting those who shall bee specially forbidden to transport themselves and families unto the said Countrey with such convenient Shipping as by the Lawes of this our kingdome of England they ought to use with fitting provisions paying only the Customes therefore due and there to settle themselves dwell and inhabitt and plant for the publick and their owne private advantage

[9] And Furthermore that our Subiects may bee the rather encouraged to undertake this expedicion with ready and cheerfull mindes Know yee that wee of Our especiall grace certaine knowledge and

meere mocion Doe Give and Grant by vertue of these presents as well to the said William Penn and his heires as to all others who shall from time to time repaire unto the said Countrey with apurpose to inhabitt there or to trade with the Natives of the said Countrey full license to Lade and freight in any ports whatsoever of us our heires and Successors according to the Lawes made or to be made within our Kingdome of England and into the said Countrey by them their Servants or assignes to transport all and singuler their Wares goods and Merchandizes as likewise all sorts of graine whatsoever and all other things whatsoever necessary for food or cloathing not phibited by the Lawes and Statutes of our Kingdomes and Dominions to be carried out of the said Kingdomes without any Lett or Molestacon of us our heires and Successors or of any the officers of us our heires and Successors saveing alwayes to us our heires and Successors the Legall impossitons customes and other Duties and payments for the said Wares and Merchandize by any Law or Statute due or to be due to us our heires and Successors

[10] And Wee doe further for us our heires and Successors Give and grant unto the said William Penn his heires and assignes free and absolute power to Divide the said Countrey and Islands into Townes Hundreds and Counties and to erect and incorporate Townes into Borroughs and Borroughs into Citties and to make and Constitute Faires and Marketts therein with all other convenient priviledges and imunities according to the meritt of the inhabitants and the Fittnes of the places and to doe all and every other thing and things touching the premisses which to him or them shall seeme requisite and meet albeit they be such as of their owne nature might otherwise require a more especiall comandment and warrant then in these presents is expressed.

[11] We will also and by these presents for us our heires and Successors Wee doe Give and grant license by this our Charter unto the said William Penn his heires and assignes and to all the inhabitants and dwellers in the province aforesaid both present and to come to import or unlade by themselves or their Servants Factors or assignes all merchandizes and goods whatsoever that shall arise of the fruites and comodities of the said province either by Land or Sea into

any of the Ports of us our heires and Successors in our Kingdome of England and not into any other Countrey whatsoever And wee give him full power to dispose of the said goods in the said ports and if need bee within one yeare next after the unladeing of the Same to Lade the said Merchandizes and goods againe into the Same or other shippes and to export the same into any other Countreys either of our Dominions or Forreigne according to Law provided always that they pay such customs and impositions subsidies and duties for the same to us our heires and Successors as the rest of our Subiects of our Kingdome of England for the time being shall be bound to pay And doe observe the Acts of Navigation and other Lawes in that behalfe made

[12] And furthermore of our more ample and especiall grace certaine Knowledge and meere motion Wee doe for us our heires and Successors Grant unto the said William Penn his heires and assignes full and absolute power and authoritie to make erect and Constitute within the said province and the Isles and Isletts aforesaid such and soe many Seaports harbours Creeks Havens Keyes and other places for discharge and unladeing of goods and merchandize out of the Shippes boates and other vessells and Ladeing them in such and soe many places and with such rights Jurisdictiones liberties and priviledges unto the said ports belonging as to him or them shall seeme most expedient and that all and singular the shippes boates and other vessells which shall come for merchandize and trade unto the said province or out of the same shall depart shall be laden or unladen onely att such ports as shall be erected and constituted by the said William Penn his heires and assignes any use custome or other thing to the contrary notwithstanding Provided that the said William Penn and his heires and the Lieutenants and Governors for the time being shall admitt and retaine in and about all such ports Havens Creeks and Keyes all officers and their Deputies who shall from time to time be appointed for that purpose by the Farmers or Comissioners of our Customes for the time being

[13] And Wee Doe further appoint and ordaine and by these presents for us our heires and Successors Wee doe grant unto the said William Penn his heires and assignes that he the said William Penn his heirs and assignes may from time to time forever have and enjoy the



Customes and Subsidies in the ports harbours and other Creeks and places aforesaid within the province aforesaid payable or due for merchandizes and wares there to be Laded or unladed the said Customes and Subsidies to be reasonably assessed upon any occasion or themselves and the people there as aforesaid to be assembled to whom Wee Give power by these presents for us our heires and Successors upon iust cause and in a due porporcion to asesse and impose the same Saving unto us our heires and Successors such impositcions and customes as by Act of parliament are and shall be appointed

[14] And it is our further Will and pleasure that the said William Penn his heires and assignes shall from time to time constitute and appoint an Attorney or Agent to reside in or neare our City of London who shall make knowne the place where he shall dwell or may be found unto the Clerks of Our privy Counsell for the time being or one of them and shall be ready to appeare in any of our Courts att Westminster to Answer for any misdemeanors that shall be comitted or by any wilfull default or neglect permitted by the said William Penn his heires or assignes against our lawes of Trade or Navigacion and after it shall be ascertained in any of our said Courts what damages Wee or our heires or Successors shall have Sustained by such default or neglect the said William Penn his heires and assignes shall pay the same within one yeare after such taxacion and demand thereof from such Attorney or in case there shall be noe such Attorney by the space of one yeare or such Attorney shall not make payment of such damages within the space of one yeare and answer such other forfeitures and penalties within the said time as by the Acts of parliament in England are or shall be provided according to the true intent and meaneing of these presents Then it shall be lawful for us our heires and Successors to seize and Resume the government of the said province or Countrey and the same to retaine untill payment shall be made thereof But notwithstanding any such seizure or resumption of the government nothing concerneing the propriety or ownership of any Lands tenements or other hereditaments or goods or chattels of any the Adventurers planters or owners other then the respective Offenders there shall be any way affected or molested thereby

[15] Provided alwayes and our will and pleasure is that neither the said William Penn nor his heires nor any other the inhabitants of the said province shall att any time hereafter have or maintain any Correspondence with any other king prince or State or with any of their subiects who shall then be in Warr against us our heires or successors Nor shall the said William Penn or his heires or any other the inhabitants of the said pvince make warre or doe any act of hostility against any other king prince or State or any of their Subiects who shall then be in league or amity with us our heires or Successors

[16] And because in soe remote a Countrey and scituate neare many Barbarous Nations the incursions as well of the Savages themselves, as of other enemies pirates, and Robbers may probably be feared Therefore Wee have Given and for us our heires and Successors Doe give power by these presents unto the said William Penn his heires and assignes by themselves or their Captaines or other their Officers to Levy muster and traine all sorts of men of what condicion or wheresoever borne in the said pvince of Pensilvanie for the time being and to make warr and pursue the enemies and Robbers aforesaid as well by Sea as by Land yea even without the Limits of the said province and by Gods assistance to vanquish and take them and being taken to put them to death by the Law of Warr or to save them att their pleasure and to doe all and every other Act and thing which to the charge and office of a Captaine generall of any army belongeth or hath accustomed to belong as fully and Freely as any Captaine Gernerall of any Army hath ever had the same

[17] And Furthermore of our especiall grace and of our certaine knowledg and meere notion Wee have Given and granted and by these presents for us our heires and Successors Doe Give and Grant unto the said William Penn his heires and afsignes full and absolute power Licence and authoritie That he the said William Penn his heires and assignes from time to time hereafter forever att his or their will and pleasure may assigne alien Grant demise or infeoffe of the premisses soe many and such partes and parcells to him or them that shall be willing to purchase the same as they shall thinke Fitt To have and to hold to them the said person and persons willing to take or purchase their heires and assignes in Feesimple or Feetaille or for the terme of

life or lives or yeares to be held of the said William Penn his heires and assignes as of the said Seigniory of Windsor by such services customes and rents as shall seeme Fitt to the said William Penn his heirs and assignes and not imediately of us our heires and Successors

[18] and to the same person or persons and to all and every of them Wee doe give and grant by these presents for us our heires and Successors Licence authoritie and power that such person or persons may take the premisses or any parcell thereof of the aforesaid William Penn his heires or assignes and the same hold to themselves their heires and assigns in what estate of inheritance soever in Feesimple or in Feetaile or otherwise as to him the said William Penn his heires and assignes shall seem expedient The Statute made in the parliament of Edward sonne of king Henry late King of England our predecessor comonly called the Statute Quia emptores terrarum lately published in our Kingdome of England in anywise notwithstanding

[19] And by these presents Wee give and Grant Licence unto the said William Penn and his heires likewise to all and every such person and persons to whom the said William Penn or his heires shall att any time hereafter grant any estate of inheritance as aforesaid to erect any parcells of Land within the pvince aforesaid into Mannors by and with the licence to be first had and obeyned for that purpose under the Hand and Seale of the said William Penn or his heires and in every of the said Mannors to have and to hold a Court Baron with all things whatsoever which to a Court Baron do belong and to have and to hold view of Frankpledge for the conservation of the peace and the better government of those partes by themselves or their Stewards or by the Lords for the time being of other Mannors to be deputed when they shall be erected and in the same to use all things belonging to view of Frankpledge And Wee doe further grant licence and authoritie that every such person and persons who shall erect any such Mannor or Mannors as aforesaid shall or may grant all or any parte of his said Lands to any person or persons in Feesimple or any other estate of inheritance to be held of the said Mannors respectively so as noe further tenures shall be created but that upon all further and other alienacions thereafter to be made the said Lands soe aliened shall be held of the same Lord and his heires of whom the Alienor did then

before hold and by the life rents and services which were before due and accustomed

[20] And further our pleasure is and by these presents for us our heires and Successors Wee doe Covenant and grant to and with the said William Penn and his heires and assignes that Wee our heires and Successors shall att no time hereafter sett or make or cause to be sett any impossiton custome or other taxacion rate or contribucion whatsoever in and upon the dwellers and inhabitants of the aforesaid province for their Lands tenements goods or chattels within the said province or in and upon any goods or merchandize within the said province or to be laden or unladen within the ports or harbours of the said province unles the same be with the consent of the proprietary or cheife Governor and assembly or by Act of parliament in England

[21] And Our pleasure is and for us our heires and successors Wee charge and Comand that this our Declaration shall from henceforward be received and allowed from time to time in all our Courts and before all the Judges of us our heires and successors for a sufficient and lawfull discharge payment and acquittance Comanding all and singular the Officers and Ministers of us our heires and Successors and enioyneing them upon paine of our high displeasure that they doe not presume att any time to attempt any thing to the contrary of the premisses or that they doe in any sort withstand the same but that they be att all times aiding and assisting as is fitting unto the said William Penn and his heires and to the inhabitants and merchants of the province aforesaid their servants Ministers Factors and assignes in the full use and function of the benefitt of this our Charter

[22] And our further pleasure is And wee doe hereby for us our heires and Successors charge and require that if any of the inhabitants of the said province to the number of Twenty shall att any time hereafter be desirous and shall by any writeing or by any person deputed for them signify such their desire to the Bishop of London that any preacher or preachers to be approved of by the said Bishop may be sent unto them for their instruccion that then such preacher or preachers shall and may be and reside within the said province without any deniall or molestacion whatsoever

[23] and if perchance it should happen hereafter any doubts or questions should arise concerneing the true Sence & meaning of any word clause or Sentence conteyned in this our present Charter Wee Will ordaine and command that att all times and in all things such interpretaton be made thereof and allowed in any of our Courts whatsoever as shall be adjudged most advantageous and favourable unto the said William Penn his heires and assignes Provided alwayes that no interpretacion be admitted thereof by which the allegiance due unto us our heires and Successors may suffer any prejudice or diminuton Although expres mencion be not made in these presents of the true yearly value or certainty of the premisses or of any parte thereof or of other guifts and grants made by use our progenitors or predecessors unto the said William Penn or any Statute Act ordinance provision proclamacion or restraint heretofore had made published ordained or provided or any other thing cause or matter whatsoever to the contrary thereof in any wise notwithstanding In Wittnes whereof Wee have caused these our Letters to be made patents Witness our selfe att Westminster the fourth day of March in the Three and Thirtieth yeare of our Reigne.

Pigott

By Writt of privy Seale.

xxvij mo die Junii 1682

Irr p John Shales, Aud

P.H.M.C., Archives, Basic Documents, No. 1. Printed in *A Collection of Charters and other public acts . . . Relating to the Province of Pennsylvania* . . . Printed and Sold by B. Franklin, in Market-Street. M,DCC,XL, pp. 10-17; *Colonial Records*, I, ix-xviii; *Pa. Arch.*, Fourth Series, I, 3-18; etc.

The heading is not part of the original charter.

The bracketed numbers indicate the sections into which the Charter was later divided.

"Pigott" is Sir Richard Pigott, clerk of patents.

The endorsement as transmitted reads: "xxvij mo die Junii 1682 Irr[otulatur]p[er] John Shales Aud[itorem]," that is, "27 June 1682 enrolled by John Shales Auditor." "The Mystery of Pennsylvania's Royal Charter," by Nicholas B. Wainwright, *The Pennsylvania Magazine of History and Biography*, Vol.73 October, 1949, page 428.

Since the manuscript for the heading and Preface are lacking, their text is taken from the original printed version of 1682, *The Frame of the Government of the Province of Pennsylvania . . . Printed in the Year MDCLXXXII*, from the copy in the Library of Congress. The Frame itself is in P.H.M.C., Archives, Basic Documents, No. 2. For other printed versions see *A Collection of Charters . . . Relating to the Province of Pennsylvania . . . Printed and Sold by B. Franklin, in Market-Street. M,DCC,XL*, pp. 10-17; *Colonial Records, I, xxi-xxix*; *Pa. Arch., Fourth Series, I, 24-37*.