

A
C O L L E C T I O N
O F
C H A R T E R S
AND OTHER PUBLICK ACTS,
RELATING TO THE
Province of *PENNSYLVANIA*,

VIZ.

- I. The ROYAL CHARTER to *WILLIAM PENN*, Esq;
- II. The first FRAME of Government, granted in *England*, in 1682.
- III. LAWS agreed upon in *England*.
- IV. Certain CONDITIONS or CONCESSIONS.
- V. The ACT of SETTLEMENT, made at *Chester*, 1682.
- VI. The second FRAME of Government, granted 1683.
- VII The CHARTER of the CITY of *PHILADELPHIA*, granted *October 25*, 1701.
- VIII. The New CHARTER of PRIVILEGES to the Province, granted *October 28*, 1701.

The CHARTER of CHARLES II.
of England, Scotland, France, and
Ireland, KING, *Defender of the*
Faith, &c.

Unto WILLIAM PENN, *Proprietary and Go-*
vernour of the Province of Pensylvania.

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.* WHERE-
AS our trusty and well-beloved Subject *William*
Penn, Esq; Son and Heir of Sir *William Penn* de-
ceased, (out of a commendable Desire to enlarge
our *English* Empire, and promote such useful Com-
modities as may be of Benefit to us and our Do-
minions, as also to reduce the savage Natives by
gentle and just Manners, to the love of civil Society
and the Christian Religion) hath humbly besought
Leave of us, to transport an ample Colony unto a
certain Country herein after described, in the Parts
of *America*, not yet cultivated and planted; and
hath likewise so humbly besought our Royal Ma-
jesty to give, grant, and confirm all the said Coun-
try, with certain Privileges and Jurisdictions, re-
quisite for the good Government and Safety of the
said Country and Colony, to him and his Heirs for
ever.

S E C T. I.

KNOW YE THEREFORE, That we
(favouring the Petition and good Purpose of the
said

The HISTORY of the

said *William Penn*, and having Regard to the Memory and Merits of his late Father in divers Services, and particularly to his Conduct, Courage, and Discretion under our dearest Brother *JAMES* Duke of *York*, in that signal Battle and Victory fought and obtained against the *Dutch Fleet*, commanded by the Heer *Van Opdam*, in the Year 1665: In Consideration thereof, of our special Grace, certain Knowledge, and meer Motion) have given and granted, and by this our present Charter, for us, our Heirs and Successors, do give and grant unto the said *William Penn*, his Heirs and Assigns, all that Tract or Part of Land in *America*, with the Islands therein contained, as the same is bounded on the East by *Delawar River*, from twelve Miles Distance Northwards of *Newcastle Town* unto the three and fortieth Degree of Northern Latitude, if the said River doth extend so far Northward: But if the said River shall not extend so far Northward, then by the said River so far as it doth extend, and from the Head of the said River the Eastern Bounds are to be determined by a Meridian Line, to be drawn from the Head of the said River, unto the said forty-third Degree. The said Land to extend Westward five Degrees in Longitude, to be computed from the said Eastern Bounds; and the said Lands to be bounded on the North by the Beginning of the three and fortieth Degree of Northern Latitude, and on the South by a Circle drawn at twelve Miles Distance from *Newcastle* Northward, and Westward unto the Beginning of the fortieth Degree of Northern Latitude, and then by a strait Line Westwards to the Limits of Longitude above-mentioned.

S E C T. II.

WE do also give and grant unto the said *William Penn*, his Heirs and Assigns, the free and undisturbed Use and Continuance in, and Passage unto, and out of all and singular Ports, Harbours, Bays, Waters,

Waters, Rivers, Isles, and Inlets, belonging unto, or leading to and from the Country or Islands aforesaid, and all the Soils, Lands, Fields, Woods, Underwoods, Mountains, Hills, Fenns, Isles, Lakes, Rivers, Waters, Rivulets, Bays, and Inlets, situated or being within, or belonging to the Limits or Bounds aforesaid, together with the Fishing of all Sorts of Fish, Whales, Sturgeon, and all royal and other Fishes, in the Seas, Bays, Inlets, Waters, or Rivers within the Premisses, and all the Fish therein taken; and also all Veins, Mines, Minerals, and Quarries, as well discovered as not discovered, of Gold, Silver, Gemms, and precious Stones, and all other whatsoever, be it Stones, Metals, or of any other Thing or Matter whatsoever, found or to be found within the Country, Isles, or Limits aforesaid.

S E C T. III.

AND him, the said *William Penn*, his Heirs and Assigns, we do by this our Royal Charter, for us, our Heirs and Successors, make, create, and constitute, the true and absolute Proprietary of the Country aforesaid, and of all other the Premisses: Saving always to us, our Heirs and Successors, the Faith and Allegiance of the said *William Penn*, his Heirs and Assigns, and of all other Proprietaries, Tenants, and Inhabitants, that are or shall be within the Territories and Precincts aforesaid; and saving also, unto us, our Heirs and Successors, the Sovereignty of the aforesaid Country, to have, hold, possess, and enjoy the said Tract of Land, Country, Isles, Inlets, and other the Premisses, unto the said *William Penn*, his Heirs and Assigns, to the only proper Use and Behoof of the said *William Penn*, his Heirs and Assigns, for ever, to be holden of us, our Heirs and Successors, Kings of *England*, as of our Castle of *Windsor* in our County of *Berks*, in free and common Soccage, by Fealty only for all Services, and not in Capite or by Knights Service: Yield-

Yielding and paying therefore to us; our Heirs and Successors, two Beaver-Skins, to be delivered at our Castle of *Windsor*, on the first Day of *January* in every Year; and also the fifth Part of all Gold and Silver Oar, which shall, from Time to Time happen to be found within the Limits aforesaid, clear of all Charges. And of our further Grace, certain Knowledge, and meer Motion, we have thought fit to erect, and we do hereby erect the aforesaid Country and Islands into a Province and Seignorie, and do call it **PENNSYLVANIA**, and so from henceforth will have it called.

S E C T. IV.

AND forasmuch as we have hereby made and ordained the aforesaid *William Penn*, his Heirs and Assigns, the true and absolute Proprietaries of all the Lands and Dominions aforesaid, KNOW YE THEREFORE, That we (reposing special Trust and Confidence in the Fidelity, Wisdom, Justice, and provident Circumspection of the said *William Penn*) for us, our Heirs and Successors, do grant free, full, and absolute Power (by Virtue of these Presents) to him and his Heirs, to his and their Deputies, and Lieutenants for the good and happy Government of the said Country, to ordain, make, and enact, and under his and their Seals to publish any Laws whatsoever, for the raising of Money for publick Uses of the said Province, or for any other End, appertaining either unto the publick State, Peace, or Safety of the said Country, or unto the private Utility of particular Persons, according unto their best Discretion, by and with the Advice, Assent, and Approbation of the Freemen of the said Country, or the greater Part of them, or of their Delegates or Deputies, whom for the enacting of the said Laws, when, and as often as Need shall require, we will that the said *William Penn* and his Heirs, shall assemble in such
Sort

Sort and Form, as to him and them shall seem best, and the same Laws duly to execute, unto and upon all People within the said Country and Limits thereof.

S E C T. V.

AND we do likewise give and grant unto the said *William Penn*, and to his Heirs, and their Deputies and Lieutenants, full Power and Authority, to appoint and establish any Judges and Justices, Magistrates and other 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 Form, as to the said *William Penn* or his Heirs, shall seem most convenient: Also to remit, release, pardon, and abolish (whether before Judgment or after) all Crimes and Offences whatsoever, committed within the said Country, against the said Laws, (Treason and wilful and malicious Murder only excepted, and in those Cases to grant Rempries, until our Pleasure may be known therein) and to do all and every other Thing and Things, which unto the compleat Establishment of Justice unto Courts and Tribunals, Forms of Judicature, and Manner of Proceedings do belong, although in these Presents exprefs Mention be not made thereof; and by Judges by them delegated, to award Procces, hold Pleas, and determine in all the said Courts and Tribunals all Actions, Suits, and Causes whatsoever, as well criminal as civil, personal, real, and mixt; which Laws so, as aforesaid, to be published, our Pleasure is, and so we enjoin, require, and command, shall be most absolute and available in Law; and that all the Liege People and Subjects of us, our Heirs and Successors, do observe and keep the same inviolably in those Parts, so far as they concern them, under the Pain therein expressed, or to be expressed. PRO-
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The HISTORY of the

VIDED nevertheless, That the same Laws be consonant to Reason, and not repugnant or contrary, but (as near as conveniently may be) agreeable to the Laws and Statutes, and Rights of this our Kingdom of *England*, and saving and reserving to us, our Heirs and Successors, the receiving, hearing, and determining of the Appeal and Appeals of all or any Person or Persons, of, in, or belonging to the Territories aforesaid, or touching any Judgment to be there made or given.

S E C T. VI.

AND forasmuch as in the Government of so great a Country, sudden Accidents do often happen, whereunto it will be necessary to apply Remedy before the Freeholders of the said Province, or their Delegates or Deputies can be assembled to the making of Laws; neither will it be convenient that instantly upon every such emergent Occasion, so great a Multitude should be called together: Therefore (for the better Government of the said Country) we will, and ordain, and by these Presents, for us, our Heirs and Successors, do grant unto the said *William Penn* and his Heirs, by themselves, or by their Magistrates and Officers, in that Behalf duly to be ordained as aforesaid, to make and constitute fit and wholesome Ordinances, from Time to Time, within the said Country to be kept and observed, as well for the Preservation of the Peace, as for the better Government of the People there inhabiting; and publickly to notify the same to all Persons, whom the same doth or may any Ways concern. Which Ordinances our Will and Pleasure is, shall be observed inviolably within the said Province, under the Pains therein to be expressed, so as the said Ordinances be consonant to Reason, and be not repugnant nor contrary, but (so far as conveniently may be) agreeable with the Laws of our Kingdom of *England*, and so as the said Ordinances
be

be not extended in any Sort to bind, change, or take away the Right or Interest of any Person or Persons, for or in their Life, Members, Freehold; Goods, or Chattles. And our farther Will and Pleasure is, That the Laws for regulating and governing of Property within the said Province, as well for the Descent and Enjoyment of Lands, as likewise for the Enjoyment and Succession of Goods and Chattles, and likewise as to Felonies, shall be and continue the same, as they shall be for the Time being, by the general Course of the Law in our Kingdom of *England*, until the said Laws shall be altered by the said *William Penn*, his Heirs or Assigns, and by the Freemen of the said Province, their Delegates or Deputies, or the greater Part of them.

S E C T. VII.

AND to the End that the said *William Penn*, or his Heirs, or other the Planters, Owners, or Inhabitants of the said Province, may not at any Time hereafter (by Misconstruction of the Power aforesaid) through Inadvertency or Design, depart from that Faith and due Allegiance, which by the Laws of this our Realm of *England*, they and all our Subjects, in our Dominions and Territories, always owe to us, our Heirs and Successors, by Colour of any Extent or Largeness of Powers hereby given, or pretended to be given, or by Force or Colour of any Laws hereafter to be made in the said Province, by Virtue of any such Powers; OUR farther Will and Pleasure is, That a Transcript or Duplicate of all Laws, which shall be so as aforesaid made and published within the said Province, shall within five Years after the making thereof, be transmitted, and delivered to the Privy Council, for the Time being of us, our Heirs and Successors: And if any of the said Laws within the Space of six Months after that they shall be so transmitted and delivered,

be declared by us, our Heirs and Successors, in our or their Privy Council, inconsistent with the Sovereignty, or lawful Prerogative of us, our Heirs or Successors, or contrary to the Faith and Allegiance due to the legal Government of this Realm, from the said *William Penn*, or his Heirs, or of the Planters and Inhabitants of the said Province, and that thereupon any of the said Laws shall be adjudged and declared to be void by us, our Heirs and Successors, under our or their Privy Seal, that then and from thenceforth, such Laws, concerning which such Judgment and Declaration shall be made, shall become void: Otherwise the said Laws so transmitted, shall remain, and stand in full Force, according to the true Intent and Meaning thereof.

S E C T. VIII.

FURTHERMORE, that this new Colony may the more happily increase, by the Multitude of People resorting thither; Therefore we, for us, our Heirs and Successors, do give and grant by these Presents, Power, Licence, and Liberty un to all the Liege People and Subjects, both present and future, of us, our Heirs and Successors, (excepting those who shall be especially forbidden) to transport themselves and Families unto the said Country, with such convenient Shipping as by the Laws of this our Kingdom of *England* they ought to use, and with fitting Provision, paying only the Customs therefore due, and there to settle themselves, dwell and inhabit, and plant, for the publick, and their own private Advantage.

S E C T. IX.

AND FURTHERMORE, that our Subjects may be the rather encouraged to undertake this Expedition with ready and cheerful Minds, KNOW YE, That we, of our special Grace, certain

tain Knowledge, and mere Motion, do give and grant by virtue of these Presents, as well unto the said *William Penn*, and his Heirs, as to all others, who shall from time to time repair unto the said Country, with a Purpose to inhabit or trade with the Natives of the said Country, full Licence to lade and freight in any Ports whatsoever, of us, our Heirs and Successors, according to the Laws made, or to be made within our Kingdom of *England*, and unto the said Country, by them, their Servants or Assigns, to transport all and singular their Goods, Wares and Merchandizes, as likewise all Sorts of Grain whatsoever, and all other Things whatsoever, necessary for Food or Clothing, not prohibited by the Laws and Statutes of our Kingdom and Dominions to be carried out of the said Kingdom, without any Let or Molestation of us, our Heirs or Successors, or of any of the Officers of us, our Heirs or Successors; saving always to us, our Heirs and Successors, the legal Impositions, Customs, or other Duties and Payments, for the said Wares and Merchandizes, by any Law or Statute due, or to be due to us, our Heirs and Successors.

S E C T. X.

AND we do further, for us, our Heirs and Successors, give and grant unto the said *William Penn*, his Heirs and Assigns, free and absolute Power, to divide the said Country and Islands into Towns, Hundreds and Counties, and to erect and incorporate Towns into Boroughs, and Boroughs into Cities, and to make and constitute Fairs and Markets therein, with all other convenient Privileges and Immunities, according to the Merits of the Inhabitants, and the Fitness of the Places, and to do all and every other Thing and Things touching the Premises, which to him or them shall seem meet and requisite; albeit they be such, as of their own Nature might otherwise require a more special

Commandment and Warrant, than in these Presents is expressed.

S E C T. XI.

WE will also, and by these Presents, for us, our Heirs and Successors, we do give and grant Licence by this our Charter, unto the said *William Penn*, his Heirs and Assigns, 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 Assigns, all Merchandizes and Goods whatsoever, that shall arise of the Fruits and Commodities of the said Province, either by Land or Sea, into any of the Ports of us, our Heirs or Successors, in our Kingdom of *England*, and not into any other Country whatsoever: And we give him full Power to dispose of the said Goods, in the said Ports; and if need be, within one Year next after the Unlading of the same, to lade the said Merchandize and Goods again into the same or other Ships, and to transport the same into any other Countries; either of our Dominions or foreign, according to Law; provided always, that they pay such Customs and Impositions, Subsidies and Duties for the same, to us, our Heirs and Successors, as the rest of our Subjects of our Kingdom of *England*, for the Time being, shall be bound to pay, and do observe the Acts of Navigation, and other Laws in that Behalf made.

S E C T. XII.

AND FURTHERMORE, of our ample and special Grace, certain Knowledge, and mere Motion, we do, for us, our Heirs and Successors, grant unto the said *William Penn*, his Heirs and Assigns, full and absolute Power and Authority, to make, erect, and constitute, within the said Province, and the Isles and Inlets aforesaid, such and so many Sea-ports, Harbours, Creeks, Havens, Keys,

Keys, and other Places, for Discharging and Unlading of Goods and Merchandizes out of the Ships, Boats, and other Vessels, and landing them unto such and so many Places, and with such Rights, Jurisdictions, Liberties and Privileges unto the said Ports belonging; as to him and them shall seem most expedient; and that all and singular the Ships, Boats, and other Vessels, which shall come for Merchandize and Trade into the said Province, or out of the same, shall be laden or unladen only at such Ports as shall be created and constituted by the said *William Penn*, his Heirs or Assigns, (any Use, Custom, or Thing to the contrary notwithstanding.) Provided, that the said *William Penn*, and his Heirs, and the Lieutenants and Governors for the Time being, shall admit and receive in, and about all such Havens, Ports, Creeks and Keys, all Officers and their Deputies, who shall from Time to Time be appointed for that Purpose by the Farmers or Commissioners of our Customs for the Time being.

S E C T. XIII.

AND we do further appoint and ordain, and by these Presents, for us, our Heirs and Successors, we do grant unto the said *William Penn*, his Heirs and Assigns, That he, the said *William Penn*, his Heirs and Assigns, may from time to time for ever, have and enjoy the Customs and Subsidies, in the Ports, Harbours, and other Creeks and Places aforesaid, within the Province aforesaid, payable or due for Merchandize and Wares there to be laded and unladed, the said Customs and Subsidies to be reasonably assessed upon any Occasion, by themselves and the People there as aforesaid to be assembled, to whom we give Power by these Presents, for us, our Heirs and Successors, upon just Cause and due Proportion to assess and impose the same; saving unto us, our Heirs and Successors, such Impositions and Customs, as by Act of Parliament are and shall be appointed.

S E C T. XIV.

AND it is our farther Will and Pleasure, That the said *William Penn*, his Heirs and Assigns, shall from Time to Time constitute and appoint an Attorney or Agent, to reside in or near our City of *London*, who shall make known the Place where he shall dwell, or may be found, unto the Clerks of our Privy-Council for the Time being, or one of them, and shall be ready to appear in any of our Courts at *Westminster*, to answer for any Misdemeanor that shall be committed, or by any wilful Default or Neglect permitted by the said *William Penn*, his Heirs or Assigns, against the Laws of Trade and Navigation; and after it shall be ascertained in any of our said Courts, what Damages we or our Heirs or Successors shall have sustained by such Default or Neglect, the said *William Penn*, his Heirs or Assigns, shall pay the same within one Year after such Taxation, and Demand thereof, from such Attorney; or in case there shall be no such Attorney by the Space of one Year, or such Attorney shall not make Payment of such Damages within the Space of a Year, and answer such other Forfeitures and Penalties within the said Time, as by the Acts of Parliament in *England* are and shall be provided, according to the true Intent and Meaning of these Presents; then it shall be lawful for us, our Heirs and Successors, to seize and resume the Government of the said Province or Country, and the same to retain until Payment shall be made thereof: But notwithstanding any such Seizure or Resumption of the Government, nothing concerning the Propriety or Ownership of any Lands, Tenements, or other Hereditaments, or Goods or Chattles, of any of the Adventurers, Planters, or Owners, other than the respective Offenders there, shall any ways be affected or molested thereby.

S E C T. XV.

PROVIDED always, and our Will and Pleasure is, That neither the said *William Penn*, nor his Heirs, or any other the Inhabitants of the said Province, shall at any Time hereafter have or maintain any Correspondence with any other King, Prince, or State, or with any of their Subjects, who shall then be in War against us, our Heirs and Successors; nor shall the said *William Penn*, or his Heirs, or any other Inhabitants of the said Province, make War, or do any Act of Hostility against any other King, Prince, or State, or any of their Subjects, who shall then be in League or Amity with us, our Heirs and Successors.

S E C T. XVI.

AND, because in so remote a Country, and situate near many barbarous Nations, the Incurfions as well of the Savages themselves, as of other Enemies, Pirates and Robbers, may probably be feared; Therefore we have given, and for us, our Heirs and Successors, do give Power by these Presents to the said *William Penn*, his Heirs and Assigns, by themselves or their Captains, or other their Officers, to levy, muster and train all Sorts of Men, of what Condition soever, or wheresoever born, in the said Province of *Pensilvania* for the Time being, and to make War, and to pursue the Enemies and Robbers aforesaid, as well by Sea as by Land, even without the Limits of the said Province, and by God's Assistance to vanquish and take them, and being taken to put them to Death by the Law of War, or to save them at their Pleasure, and to do all and every other Thing which unto the Charge and Office of a Captain-General of an Army belongeth, or hath accustomed to belong, as fully and freely as any Captain-General of an Army hath ever had the same.

S E C T. XVII.

AND FURTHERMORE, of our special Grace, and of our certain Knowledge and mere Motion, we have given and granted, and by these Presents, for us, our Heirs and Successors, do give and grant unto the said *William Penn*, his Heirs and Assigns, full and absolute Power, Licence and Authority, that he, the said *William Penn*, his Heirs and Assigns, from time to time hereafter for ever, at his or their own Will and Pleasure may assign, alien, grant, demise, or enfeoff of the Premises so many and such Parts and Parcels to him that shall be willing to purchase the same, as they shall think fit, to have and to hold to them the said Person and Persons willing to take and purchase, their Heirs and Assigns, in Fee-simple or Fee-tail, or for the Term of Life, Lives or Years, to be held of the said *William Penn*, his Heirs or Assigns, as of the said Seigniorie of *Windsor*, by such Services, Customs or Rents, as shall seem meet to the said *William Penn*, his Heirs or Assigns, and not immediately of us, our Heirs or Successors.

S E C T. XVIII.

AND to the same Person or Persons, and to all and every of them, we do give and grant by these Presents, for us, our Heirs and Successors. Licence, Authority and Power, that such Person or Persons may take the Premises, or any Part thereof, of the foresaid *William Penn*, his Heirs or Assigns, and the same hold to themselves, their Heirs and Assigns, in what Estate of Inheritance soever, in Fee-simple or in Fee-tail, or otherwise, as to him, the said *William Penn*, his Heirs or Assigns, shall seem expedient: The Statute made in the Parliament of *EDWARD*, Son of King *HENRY*, late King of *England*, our Predecessor, (commonly called *The Statute QUIA EMPTORES TERRARUM*,

FIVE INDIAN NATIONS, &c.

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TERRARUM, lately published in our Kingdom of England) in any wise notwithstanding.

S E C T. XIX.

AND by these Presents we give and grant Licence unto the said *William Penn*, and his Heirs, and likewise to all and every such Person or Persons to whom the said *William Penn*, or his Heirs, shall at any Time hereafter grant any Estate or Inheritance as aforesaid, to erect any Parcels of Land within the Province aforesaid into Manors, by and with the Licence to be first had and obtained for that Purpose, under the Hand and Seal of the said *William Penn*, or his Heirs; and in every of the said Manors 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 Frank-Pledge for the Conservation of the Peace, and the better Government of those Parts, by themselves or their Stewards, or by the Lords for the Time being of the Manors to be deputed when they shall be erected, and in the same to use all Things belonging to the View of Frank-Pledge. AND we do further grant Licence and Authority, That every such Person or Persons who shall erect any such Manor or Manors, as aforesaid, shall or may grant all or any Part of his said Land to any Person or Persons, in Fee-simple, or any other Estate of Inheritance to be held of the said Manors respectively, so as no farther Tenure shall be created, but that upon all further or other Alienations thereafter to be made, the said Lands so aliened shall be held of the same Lord and his Heirs, of whom the Aliener did then before hold, and by the like Rents and Services which were before due and accustomed.

S E C T. XX.

AND FURTHER our Pleasure is, and by these Presents, for us, our Heirs and Successors,

we do covenant and grant to and with the said *William Penn*, his Heirs and Assigns, That we, our Heirs and Successors, shall at no Time hereafter set or make, or cause to be set or made, any Imposition, Custom, or other Taxation, Rate or Contribution whatsoever, in and upon the Dwellers and Inhabitants of the aforesaid Province, for their Lands, Tenements, Goods or Chattles within the said Province, or in and upon any Goods or Merchandizes within the Province, or to be laden or unladen within the Ports or Harbours of the said Province, unless the same be with the Consent of the Proprietary, or chief Governor, or Assembly, or by Act of Parliament in *England*.

S E C T. XXI.

AND our Pleasure is, and for us, our Heirs and Successors, we charge and command, That this our Declaration shall from henceforth from Time to Time be received and allowed in all our Courts, and before all the Judges of us, our Heirs and Successors, for a sufficient lawful Discharge, Payment and Acquittance; commanding all the Officers and Ministers of us, our Heirs and Successors, and enjoining them upon Pain of our highest Displeasure, that they do not presume at any Time to attempt any thing to the contrary of the Premises, or that do in any sort withstand the same, but that they be at all Times aiding and assisting, as is fitting to the said *William Penn*, and his Heirs, and unto the Inhabitants and Merchants of the Province aforesaid, their Servants, Ministers, Factors, and Assigns, in the full Use and Fruition of the Benefit of this our Charter.

S E C T. XXII.

AND our farther Pleasure is, and we do hereby, for us, our Heirs and Successors, charge and require, That if any of the Inhabitants of the said Province, to the Number of Twenty, shall at any Time hereafter be desirous, and shall by any Writing,

ing, or by any Person deputed by them, signify such their Desire to the Bishop of *London* for the Time being, That any Preacher or Preachers, to be approved of by the said Bishop, may be sent unto them for their Instruction; That then such Preacher or Preachers shall and may reside within the said Province, without any Denial or Molestation whatsoever.

S E C T. XXIII.

AND if perchance hereafter any Doubt or Question should arise, concerning the true Sense and Meaning of any Word, Clause, or Sentence contained in this our present Charter, we will, ordain, and command, That at all Times, and in all Things, such Interpretation 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 Heirs and Assigns: Provided always no Interpretation be admitted thereof, by which the Allegiance due unto us, our Heirs and Successors, may suffer any Prejudice or Diminution; although express Mention be not made in these Presents of the true yearly Value, or Certainty of the Premises, or any Part thereof, or of other Gifts and Grants made by us and our Progenitors or Predecessors unto the said *William Penn*: Any Statute, Act, Ordinance, Provision, Proclamation, 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 WITNESS whereof we have caused these our Letters to be made Patent: Witness OUR SELF, at *Westminster*, the *Fourth* Day of *March*, in the *three and thirtieth* Year of our Reign. *Annaque Domini One Thousand Six Hundred and Eighty-one.*

By Writ of Privy Seal,

PIGOTT.

The FRAME of the Government of the Province of *Pensilvania* in *America*: Together with certain LAWS agreed upon in *England*. By the Governor and divers Freemen of the aforesaid Province. To be further explained and continued there, by the first Provincial Council that shall be held, if they see meet.

The P R E F A C E.

WHEN the great and wise GOD had made the World, of all his Creatures it pleased him to chuse Man his Deputy to rule it; and to fit him for so great a Charge and Trust, he did not only qualify him with Skill and Power, but with Integrity to use them justly. This native Goodness was equally his Honour and his Happiness; and whilst he stood here, all went well; there was no need of coercive or compulsive Means; the Precept of divine Love and Trust in his Bosom was the Guide and Keeper of his Innocency. But Lust prevailing against Duty, made a lamentable Breach upon it; and the Law, that had before no Power over him, took place upon him and his disobedient Posterity, that such as would not be conformable to the holy Law within, should fall under the Reproof and Correction of the just Law without, in a judicial Administration.

THIS the Apostle teaches in divers of his Epistles: The Law (says he) was added because of Transgression: In another Place, Knowing that the Law was not made for the righteous Man; but for the disobedient and ungodly, for Sinners, for unholy and prophane, for Murderers, for Whoremongers, for them that defile themselves with Mankind, and for Men-stealers, for Liars, for perjured Persons, &c. But this is not all, he opens and carries the Matter of Government a little further: Let every Soul be subject to the higher Powers; for there is

NO Power but of GOD. The Powers that be are ordained of GOD: Whosoever therefore resisteth the Power, resisteth the Ordinance of GOD. For Rulers are not a Terror to good Works, but to evil: Wilt thou then not be afraid of the Power? do that which is good, and thou shalt have Praise of the same.—He is the Minister of GOD to thee for good.—Wherefore ye must needs be subject, not only for Wrath, but for Conscience sake.

THIS settles the divine Rights of Government beyond Exception, and that for two Ends: First to terrify evil Doers; Secondly to cherish those that do well; which gives Government a Life beyond Corruption, and makes it as durable in the Word, as good Men shall be. So that Government seems to me a Part of Religion itself, a Thing sacred in its Institution and End. For if it does not directly remove the Cause, it crushes the Effects of Evil, and is as such (though a lower yet) an Emanation of the same divine Power, that is both Author and Object of pure Religion; the Difference lying here, that the one is more free and mental, the other more corporal and compulsive in its Operations: But that is only to evil Doers; Government itself being otherwise as capable of Kindness, Goodness, and Charity, as a more private Society. They weakly err, that think there is no other Use of Government than Correction, which is the coarsest Part of it: Daily Experience tells us, that the Care and Regulation of many other Affairs, more soft and daily necessary, make up much the greatest Part of Government; and which must have followed the Peopling of the World, had Adam never fell, and will continue among Men on Earth under the biggest Attainments they may arrive at, by the coming of the blessed Second Adam, the LORD from Heaven. Thus much of Government in general, as to its Rise and End.

FOR particular Frames and Models, it will become me to say little; and comparatively I will say nothing.

nothing. My Reasons are: First, That the Age is too nice and difficult for it; there being nothing the Wits of Men are more busy and divided upon. 'Tis true, they seem to agree in the End, to wit, Happiness; but in the Means they differ, as to divine, so to this human Felicity; and the Cause is much the same, not always Want of Light and Knowledge, but Want of Using them rightly. Men side with their Passions against their Reason, and their sinister Interests have so strong a Bias upon their Minds, that they lean to them against the good of the things they know.

Secondly, I do not find a Model in the World, that Time, Place, and some singular Emergencies have not necessarily altered; nor is it easy to frame a civil Government, that shall serve all Places alike.

Thirdly, I know what is said by the several Admirers of Monarchy, Aristocracy, and Democracy, which are the Rule of one, a few, and many, and are the three common Ideas of Government, when Men discourse on that Subject. But I chuse to solve the Controversy with this small Distinction, and it belongs to all three: Any Government is free to the People under it (whatever be the Frame) where the Laws rule, and the People are a Party to those Laws; and more than this is Tyranny, Oligarchy, or Confusion.

BUT Lastly, when all is said, there is hardly one Frame of Government in the World so ill designed by its first Founders, that in good Hands would not do well enough; and Story tells us, the best in ill ones can do nothing that is great or good; Witness the Jewish and Roman States. Governments, like Clocks, go from the Motion Men give them; and as Governments are made and moved by Men, so by them they are ruined too. Wherefore Governments rather depend upon Men, than Men upon Governments. Let Men be good, and the Government can't be bad; if it be ill, they will cure it. But if Men be bad, let the Govern-

Government be never so good, they will endeavour to warp and spoil it to their Turn.

I know some say, Let us have good Laws, and no matter for the Men that execute them: But let them consider, That though good Laws do well, good Men do better: For good Laws may want good Men, and be abolished or evaded by ill Men; but good Men will never want good Laws, nor suffer ill ones. 'Tis true, good Laws have some awe upon ill Ministers, but that is where they have no Power to escape or abolish them, and the People are generally wise and good: But a loose and depraved People (which is to the Question) love Laws and an Administration like themselves. That therefore which makes a good Constitution, must keep it, viz. Men of Wisdom and Virtue, Qualities, that because they descend not with worldly Inheritances, must be carefully propagated by a virtuous Education of Youth; for which After-Ages will owe more to the Care and Prudence of Founders and the successive Magistracy, than to their Parents for their private Patrimomes.

THESE Considerations of the Weight of Government, and the nice and various Opinions about it, made it uneasy to me to think of publishing the ensuing Frame and conditional Laws, foreseeing, both the Censures they will meet with from Men of differing Humours and Engagements, and the Occasion they may give of Discourse beyond my Design.

BUT next to the Power of Necessity, (which is a Solicitor that will take no Denial) this induced me to a Compliance, that we have (with Reverence to GOD and good Conscience to Men) to the best of our Skill, contrived and composed the FRAME and LAWS of this Government, to the great End of all Government, viz. To support Power in Reverence with the People, and to secure the People from the Abuse of Power; that they may be free by their just Obedience, and the Magistrates honourable for their just Administration: For Liberty without Obedience is Confusion,

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Confusion, and Obedience without Liberty is Slavery. To carry this Evenness is partly owing to the Constitution, and partly to the Magistracy: Where either of these fail, Government will be subject to Convulsions; but where both are wanting, it must be totally subverted: Then where both meet, the Government is like to endure. Which I humbly pray, and hope GOD will please to make the Lot of this of Pensilvania Amen.

WILLIAM PENN.

The FRAME, &c.

TO ALL PEOPLE, To whom these Presents shall come: WHEREAS King *CHARLES the Second*, by his Letters Patents, under the great Seal of *England*, for the Consideration therein mentioned; hath been graciously pleased to give and grant unto me *William Penn* (by the Name of *William Penn*, Esq; Son and Heir of Sir *William Penn* deceased) and to my Heirs and Assigns for ever, all that Tract of Land, or Province called *Pensilvania*, in *America*, with divers great Powers, Preheminences, Royalties, Jurisdictions, and Authorities, necessary for the Well-being and Government thereof: 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, in Pursuance of the Powers afore-mentioned, I the said *William Penn* have declared, granted and confirmed, and by these Presents, for me, my Heirs and Assigns, do declare, grant and confirm unto 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.

↓ M P R I M I S.

I M P R I M I S.

THAT the Government of this Province shall, according the Powers of the Patent, consist of the Governor and Freemen of the said Province, in Form of a Provincial Council and General Assembly, by whom all Laws shall be made, Officers chosen, and publick Affairs transacted, as is hereafter respectively declared. *That is to say,*

II.

THAT the Freemen of the said Province shall on the twentieth Day of the twelfth Month, which shall be in this present Year *One Thousand Six Hundred Eighty and Two*, meet and assemble in some fit Place, of which timely Notice shall be beforehand given by the Governor or his Deputy, and then and there 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.

III.

THAT at the first Choice of such provincial Council, one third part of the said provincial Council shall be chosen to serve for three Years then next ensuing, one third part for two Years then next ensuing, and one third part for one Year then next following such Election, and no longer; and that the said third part shall go out accordingly: And on the twentieth Day of the twelfth Month as aforesaid, yearly for ever afterward, the Freemen of the said Province shall in like Manner meet and assemble together, and then chuse TWENTY-FOUR Persons, being one third of the said Number, to serve in provincial Council for three Years: It being intended, that one third part of the whole provincial Council (always consisting, and to consist
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of seventy-two Persons, as aforesaid) falling off yearly, it shall be yearly supplied by such new yearly Elections, as aforesaid; and that no one Person shall continue therein longer than three Years: And in case any Member shall decease before the last Election during his Time, that then at the next Election ensuing his Decease, another shall be chosen to supply his Place for the remaining Time he was to have served, and no longer.

IV.

THAT after the first seven Years, every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole Year following: That so all may be fitted for Government, and have Experience of the Care and Burden of it.

V.

THAT the provincial Council in all Cases and Matters of Moment, as their arguing upon Bills to be past into Laws, erecting Courts of Justice, giving Judgment upon Criminals impeached, and Choice of Officers, in such Manner as is herein after-mentioned; not less than two-thirds of the whole provincial Council shall make a *Quorum*; and that the Consent not Approbation of two-thirds of such *Quorum* shall be had in all such Cases and Matters of Moment. And moreover, that in all Cases and Matters of lesser Moment, twenty-four Members of the said provincial Council shall make a *Quorum*, the Majority of which twenty-four shall and may always determine in such Cases and Causes of lesser Moment.

VI.

THAT in this provincial Council the Governor, or his Deputy, shall or may always preside, and have a treble Voice; and the said provincial Council shall always continue, and sit upon its own Adjournments and Committees.

VII.

VII.

THAT the Governor and provincial Council shall prepare and propose to the general Assembly hereafter mentioned, all Bills, which they shall at any Time think fit to be passed into Laws within the said Province; which Bills shall be published and affixed to the most noted Places in the inhabited Parts thereof, thirty Days before the Meeting of the general Assembly, in order to the passing them into Laws, or rejecting of them, as the general Assembly shall see meet.

VIII.

THAT the Governor and provincial Council shall take care, that all Laws, Statutes and Ordinances, which shall at any Time be made within the said Province, be duly and diligently executed.

IX.

THAT the Governor and provincial Council shall at all Times have the Care of the Peace and Safety of the Province, and that nothing be by any Person attempted to the Subversion of this Frame of Government.

X.

THAT the Governor and provincial Council shall at all Times settle and order the Situation of all Cities, Ports, and Market-Towns in every County, modelling therein all publick Buildings, Streets, and Market-Places, and shall appoint all necessary Roads and Highways in the Province.

XI.

THAT the Governor and provincial Council shall at all Times have Power to inspect the Management of the publick Treasury, and punish those who shall convert any Part thereof to any other Use,

Use, than what hath been agreed upon by the Governor, provincial Council, and general Assembly.

XII.

THAT the Governor and provincial Council shall erect and order all publick Schools, and encourage and reward the Authors of useful Sciences and laudable Inventions in the said Province.

XIII.

THAT for the better Management of the Powers and Trust aforesaid, the provincial Council shall from time to time divide itself into four distinct and proper Committees, for the more easy Administration of the Affairs of the Province, which divide the Seventy-two into four Eighteens, every one of which Eighteens shall consist of six out of each of the three Orders or yearly Elections, each of which shall have a distinct Portion of Business, as followeth: *First*, a Committee of Plantations, to situate and settle Cities, Ports, and Market-Towns, and Highways, and to hear and decide all Suits and Controversies relating to Plantations. *Secondly*, a Committee of Justice and Safety, to secure the Peace of the Province, and punish the Male-Administration of those who subvert Justice to the Prejudice of the publick or private Interest. *Thirdly*, a Committee of Trade and Treasury, who shall regulate all Trade and Commerce according to Law, encourage Manufacture and Country-Growth, and defray the publick Charge of the Province. *And Fourthly*, a Committee of Manners, Education and Arts, that all wicked and scandalous Living may be prevented, and that Youth may be successively trained up in Virtue and useful Knowledge and Arts: The *Quorum* of each of which Committees being six, *that is*, two out of each of the three Orders or yearly Elections, as aforesaid, make a constant and standing Council of TWENTY-FOUR.

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which will have the Power of the provincial Council, being the *Quorum* of it, in all Cases not excepted in the fifth Article; and in the said Committees and standing Council of the Province, the Governor or his Deputy shall or may preside, as aforesaid; and in the Absence of the Governor or his Deputy, if no one is by either of them appointed, the said Committees or Council shall appoint a President for that Time, and not otherwise; and what shall be resolved at such Committees, shall be reported to the said Council of the Province, and shall be by them resolved and confirmed before the same shall be put in Execution; and that these respective Committees shall not sit at one and the same Time, except in Cases of Necessity.

XIV.

AND, to the End that all Laws prepared by the Governor and provincial Council aforesaid, may yet have the more full Concurrence of the Freemen of the Province, it is declared, granted, and confirmed, That at the Time and Place or Places for the Choice of a provincial Council as aforesaid, the said Freemen shall yearly chuse Members to serve in a general Assembly as their Representatives, not exceeding two hundred Persons, who shall yearly meet from the twentieth Day of the second Month, which shall be in the Year *One Thousand Six Hundred Eighty and Three* following, in the capital Town or City of the said Province, where during eight Days the several Members may freely confer with one another; and, if any of them see meet, with a Committee of the provincial Council (consisting of three out of each of the four Committees aforesaid, being twelve in all) which shall be at that Time, purposely appointed to receive from any of them Proposals for the Alterations or Amendment of any of the said proposed and promulgated Bills: And on the *ninth* Day from their so meeting, th

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said general Assembly, after Reading over the proposed Bills by the Clerk of the provincial Council, and the Occasions and Motives for them being opened by the Governor or his Deputy, shall give their Affirmative or Negative, which to them seemeth best, in such Manner as herein after is express'd. But not less than two-thirds shall make a *Quorum* in the Passing of Laws, and Choice of such Officers as are by them to be chosen.

XV.

THAT the Laws so prepared and proposed as aforesaid, that are assented to by the general Assembly, shall be enrolled as Laws of the Province, with this Stile: *By the Governor, with the Assent and Approbation of the Freemen in provincial Council and general Assembly.*

XVI.

THAT, for the better Establishment of the Government and Laws of this Province, and to the End there may be an universal Satisfaction in the Laying of the Fundamentals thereof; the general Assembly shall, or may for the first Year, consist of all the Freemen of and in the said Province, and ever after it shall be yearly chosen as aforesaid; which Number of two hundred shall be enlarged as the Country shall encrease in People, so as it do not exceed five hundred at any Time: The Appointment and Proportioning of which, as also the Laying and Methodizing of the Choice of the provincial Council and general Assembly in future Times, most equally to the Divisions of the Hundreds and Counties, which the Country shall hereafter be divided into, shall be in the Power of the provincial Council to propose, and the general Assembly to resolve.

XVII.

THAT the Governor and the provincial Council shall erect from time to time standing Courts of Justice,

Justice, in such Places and Number as they shall judge convenient for the good Government of the said Province. And that the provincial Council shall on the thirteenth Day of the first Month yearly, elect and present to the Governor or his Deputy, a double Number of Persons, to serve for Judges, Treasurers, Masters of Rolls, within the said Province for the Year next ensuing; and the Freemen of the said Province in the County-Courts, when they shall be erected, and till then in the general Assembly, shall on the three and twentieth Day of the second Month yearly, elect and present to the Governor or his Deputy, a double Number of Persons to serve for Sheriffs, Justices of the Peace, and Coroners, for the Year next ensuing; out of which respective Elections and Presentments, the Governor or his Deputy shall nominate and commissionate the proper Number for each Office the third Day after the said Presentments; or else the first named in such Presentment for each Office, shall stand and serve for that Office the Year ensuing.

XVIII.

BUT forasmuch as the present Condition of the Province requires some immediate Settlement, and admits not of so quick a Revolution of Officers; and to the End the said Province may, with all convenient Speed, be well ordered and settled, I *William Penn* do therefore think fit to nominate and appoint such Persons for Judges, Treasurers, Masters of the Rolls, Sheriffs, Justices of the Peace, and Coroners, as are most fitly qualified for those Employments; to whom I shall make and grant Commissions for the said Officers, respectively, to hold to them to whom the same shall be granted, for so long Time as every such Person shall well behave himself in the Office or Place to him respectively granted, and no longer. And upon the Decease or Displacing of any of the said Officers,

the succeeding Officer or Officers shall be chosen as
aforesaid.

XIX.

THAT the general Assembly shall continue so long as may be needful to impeach Criminals fit to be there impeached, to pass Bills into Laws that they shall think fit to pass into Laws, and till such Time as the Governor and provincial Council shall declare that they have nothing further to propose unto them for their Assent and Approbation : And that Declaration shall be a Dismiss to the general Assembly for that time ; which general Assembly shall be notwithstanding capable of assembling together upon the Summons of the provincial Council, at any Time during that Year, if the said provincial Council shall see Occasion for their so assembling.

XX.

THAT all the Elections of Members or Representatives of the People to serve in provincial Council and general Assembly, and all Questions to be determined by both or either of them, that relate to passing of Bills into Laws, to the Choice of Officers, to Impeachments made by the general Assembly, and Judgment of Criminals upon such Impeachments by the provincial Council, and to all other Cases by them respectively judged of Importance, shall be resolved and determined by the Ballot ; and unless on sudden and indispensable Occasions, no Business in provincial Council, or its respective Committees, shall be finally determined the same Day that it is moved.

XXI.

THAT at all times, when, and so often as it shall happen that the Governor shall or may be an Infant under the Age of one and twenty Years, and no Guardians or Commissioners are appointed in Writing by the Father of the said Infant, or that
such

such Guardians or Commissioners shall be deceased; that during such Minority, the provincial Council shall from Time to Time, as they shall see meet, constitute and appoint Guardians or Commissioners, not exceeding three; one of which three shall preside as Deputy and chief Guardian, during such Minority, and shall have, and execute, with the Consent of the other two, all the Power of a Governor, in all the publick Affairs and Concerns of the said Province.

XXII.

THAT as often as any Day of the Month mentioned in any Article of this Charter, shall fall upon the first Day of the Week, commonly called *the Lord's Day*, the Business appointed for that Day shall be deferred till the next Day, unless in case of Emergency.

XXIII.

THAT no Act, Law, or Ordinance whatsoever, shall at any time hereafter be made or done by the Governor of this Province, his Heirs or Assigns, or by the Freemen in the provincial Council, or the general Assembly, to alter, change or diminish the Form or Effect of this Charter, or any Part or Clause thereof, or contrary to the true Intent and Meaning thereof, without the Consent of the Governor, his Heirs or Assigns, and six Parts of seven of the said Freemen in provincial Council and general Assembly.

XXIV.

AND LASTLY, That I the said *William Penn*, for myself, my Heirs and Assigns, have solemnly declared, granted, and confirmed, and 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

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Charter contained and expressed shall be infringed or broken; and if any Thing be procured by any Person or Persons contrary to these Premises, it shall be held of no Force or Effect. IN WITNESS whereof, I the said *William Penn* have unto this present Charter of Liberties set my Hand and broad Seal, this *five and twentieth* Day of the second Month, vulgarly called *April*, in the Year of our LORD *One Thousand Six Hundred and Eighty-two*.

WILLIAM PENN.

LAW S *agreed upon in England, &c.*

I.

THAT the Charter of Liberties, declared, granted, and confirmed the *five and twentieth* Day of the second Month, called *April*, 1682, before divers Witnesses, by *William Penn*, Governor and chief Proprietor of *Pennsylvania*, to all the Freemen and Planters of the said Province; is hereby declared and approved, and 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 Bondsman, and is free by his Service, that shall have taken up his fifty Acres of Land, and cultivated twenty thereof; and every Inhabitant, Artificer, or other Resident in the said Province, that pays Scot and Lot to the Government, shall be deemed and ac-

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.

III.

THAT all Elections of Members, or Representatives of the People and Freemen of the Province of *Pennsylvania*, to serve in provincial Council or general Assembly to be held within the said Province, shall be free and voluntary: And that the Elector, that shall receive any Reward or Gift, in Meat, Drink, Monies, or otherwise, shall forfeit his Right to elect; and such Person as shall directly or indirectly give, promise, or bestow any such Reward as aforesaid, to be elected, shall forfeit his Election, and be thereby incapable to serve as aforesaid: And the provincial Council and general Assembly shall be the sole Judges of the Regularity or Irregularity of the Elections of their own respective Members.

IV.

THAT no Money or Goods shall be raised upon, or paid by any of the People of this Province by way of publick Tax, Custom, or Contribution, but by a Law for that Purpose made; and whosoever shall levy, collect, or pay any Money or Goods contrary thereunto, shall be held a publick 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 Manner, and there personally

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plead their own Cause themselves; or if unable, by their Friend: And the first Process shall be the Exhibition of the Complaint in Court, fourteen Days before the Trial; and that the Party complained against may be fitted for the same, he or she shall be summoned, no less than ten Days before, and a Copy of the Complaint delivered him or her, at his or her Dwelling-house. 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 Court 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 Neighbourhood, and Men without just Exception in Cases of Life, there shall be first twenty-four returned by the Sheriffs for a Grand Inquest, of whom twelve at least shall find the Complaint to be true; and then the twelve Men, or Peers, to be likewise returned by the Sheriff, shall have the final Judgment. But reasonable Challenges shall be always admitted against the said twelve Men, or any of them.

IX.

THAT all Fees in all Cases shall be moderate, and settled by the provincial Council and general Assembly, and be hung up in a Table in every respective Court; and whosoever shall be convicted of taking more, shall pay two-fold, and be dismissed his Employment, one Moiety of which shall go to the Party wronged.

X.

X.

THAT all Prisons shall be Work-houses for Felons, Vagrants, and loose and idle Persons; whereof one shall be in every County.

XI.

THAT all Prisoners shall beailable by sufficient Sureties, unless for capital Offences, where the Proof is evident, or the Presumption great.

XII,

THAT all Persons wrongfully imprisoned or prosecuted at Law, shall have double Damages against the Informer or Prosecutor.

XIII.

THAT all Prisons shall be free as to Fees, Food, and Lodging.

XIV.

THAT all Lands and Goods shall be liable to pay Debts, except where there is legal Issue, and then all the Goods, and one third of the Land only.

XV.

THAT all Wills in Writing attested by two Witnesses, shall be of the same Force, as to Lands, as other Conveyances, being legally proved within forty Days, either within or without the said Province.

XVI.

THAT seven Years quiet Possession shall give an unquestionable Right, except in Cases of Infants, Lunatics, married Women, or Persons beyond the Seas.

XVII.

THAT all Briberies and Extortions whatsoever, shall be severely punished.

XVIII.

XVIII.

THAT all Fines shall be moderate, and saving Mens Contentements, Merchandize, or Wainage.

XIX.

THAT all Marriages (not forbidden by the Law of God, as to Nearness of Blood and Affinity by Marriage) shall be encouraged; but the Parents or Guardians shall be first consulted, and the Marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as Husband and Wife, before credible Witnesses, and a Certificate of the whole, under the Hands of Parties and Witnesses, shall be brought to the proper Register of that County, and shall be registred in his Office.

XX.

AND to prevent Frauds and vexatious Suits within the said Province, that all Charters, Gifts, Grants, and Conveyances of Land, (except Leases for a Year or under) and all Bills, Bonds, and Specialties above *five Pounds*, and not under three Months, made in the said Province, shall be enrolled or registred in the publick Enrolment-Office of the said Province, within the Space of two Months next after the Making thereof, else to be void in Law. And all Deeds, Grants, and Conveyances of Land (except as aforesaid) within the said Province, and made out of the said Province, shall be enrolled or registred as aforesaid, within six Months next after the Making thereof, and settling and constituting an Enrolment-Office or Registry within the said Province, else to be void in Law against all Persons whatsoever.

XXI.

THAT all Defacers or Corrupters of Charters, Gifts, Grants, Bonds, Bills, Wills, Contracts, and Conveyances, or that shall deface or falsify any Enrolment, Registry or Record within this Province, shall

shall make double Satisfaction for the same; half whereof shall go to the Party wronged, and they shall be dismissed of all Places of Trust, and be publickly disgraced as false Men.

XXII.

THAT there shall be a Register for Births, Marriages, Burials, Wills, and Letters of Administration, distinct from the other Registry.

XXIII.

THAT there shall be a Register for all Servants, where their Names, Time, Wages, and Days of Payment shall be registred.

XXIV.

THAT all Lands and Goods of Felons shall be liable to make Satisfaction to the Party wronged twice the Value; and for Want of Lands or Goods, the Felons shall be Bondmen to work in the common Prison or Work-house, or otherwise, till the Party injured be satisfied.

XXV.

THAT the Estates of capital Offenders, as Traitors and Murderers, shall go one third to the next of kin to the Sufferer, and the Remainder to the next of kin to the Criminal.

XXVI.

THAT all Witnesses, coming or called to testify their Knowledge in or to any Matter or Thing in any Court, or before any lawful Authority within the said Province, shall there give or deliver in their Evidence or Testimony by solemnly promising to speak the Truth, the whole Truth, and nothing but the Truth, to the Matter or Thing in Question. And in case any Person so called to Evidence, shall be convicted of wilful Falshood, such Person shall suffer and undergo such Damage or Penalty, as the Person or Persons against whom he or she bore false Witness, did or should undergo; and shall also make Satisfaction to the Party wronged,

wronged, and be publickly exposed as a false Witness, never to be credited in any Court, or before any Magistrate in the said Province.

XXVII.

AND to the end that all Officers chosen to serve within this Province, may with more Care and Diligence answer the Trust reposed in them, it is agreed, That no such Person shall enjoy more than one publick Office at one Time.

XXVIII.

THAT all Children within this Province of the Age of twelve Years, shall be taught some useful Trade or Skill, to the end none may be idle, but the Poor may work to live, and the Rich, if they become poor, may not want.

XXIX.

THAT Servants be not kept longer than their Time, and such as are careful, be both justly and kindly used in their Service, and put in fitting Equipage at the Expiration thereof, according to Custom.

XXX.

THAT all scandalous and malicious Reporters, Backbiters, Defamers, and Spreaders of false News, whether against Magistrates or private Persons, shall be accordingly severely punished, as Enemies to the Peace and Concord of this Province.

XXXI.

THAT for the Encouragement of the Planters and Traders in this Province, who are incorporated into a Society, the Patent granted to them by *William Penn*, Governor of the said Province, is hereby ratified and confirmed.

XXXII.

XXXII.

XXXIII.

THAT all Factors or Correspondents in the said Province, wronging their Employers, shall make Satisfaction and one third over, to their said Employers: And in case of the Death of any such Factor or Correspondent, the Committee of Trade shall take care to secure so much of the deceased Party's Estate, as belongs to his said respective Employers.

XXXIV.

THAT all Treasurers, Judges, Masters of the Rolls, Sheriffs, Justices of the Peace, and other Officers and Persons whatsoever, relating to Courts or Trials of Causes, or any other Service in the Government; and all Members elected to serve in provincial Council and general Assembly, and all that have Right to elect such Members, shall be such as profess Faith in Jesus Christ, and that are not convicted of ill Fame, or unsober and dishonest Conversation, and that are of *twenty-one* Years of Age at least; and that all such so qualified, shall be capable of the said several Employments and Privileges as aforesaid.

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 compell'd at any Time to frequent or maintain any religious Worship, Place or Ministry whatever.

XXXVI.

XXXVI.

THAT according to the good Example of the primitive Christians, and the Ease of the Creation, every *first* Day of the Week, called the Lord's Day, People shall abstain from their common daily Labour, that they may the better dispose themselves to worship God according to their Understandings.

XXXVII.

THAT as a careless and corrupt Administration of Justice draws the Wrath of God upon Magistrates, so the Wildness and Looseness of the People provoke the Indignation of God against a Country: Therefore, That all such Offences against God, as Swearing, Cursing, Lying, prophane Talking, Drunkenness, Drinking of Healths, obscene Words, Incest, Sodomy, Rapes, Whoredom, Fornication and other Uncleaness (not to be repeated) all Treasons, Misprisions, Murders, Duels, Felony, Sedition, Maims, forcible Entries, and other Violences to the Persons and Estates of the Inhabitants within this Province. All Prizes, Stage-plays, Cards, Dice, Maygames, Gamesters, Masques, Revels, Bull-baitings, Cock-fightings, Bear-baitings, and the like, which excite the People to Rudeness, Cruelty, Looseness, and Irreligion, shall be respectively discouraged and severely punish'd, according to the Appointment of the Governour and Freemen in provincial Council and general Assembly; as also a Proceedings contrary to these Laws, that are now here made expressly penal.

XXXVIII.

THAT a Copy of these Laws shall be hung up in the provincial Council, and in publick Courts of Justice: And that they shall be read yearly at the Opening of every provincial Council and general Assembly, and Court of Justice; and their Assent shall be testified,

testified, by their standing up after the Reading thereof.

XXXIX.

THAT there shall be at no time any Alteration of any of these Laws, without the Consent of the Governor, his Heirs or Assigns, and six Parts of seven of the Freemen, met in provincial Council and general Assembly.

XL.

THAT all other Matters and Things not herein provided for, which shall and may concern the publick Justice, Peace or Safety of the said Province; and the raising and imposing Taxes, Customs, Duties, or other Charges whatsoever, shall be and are hereby referred to the Order, Prudence and Determination of the Governor and Freemen in provincial Council and general Assembly, to be held from time to time in the said Province.

*Signed and Sealed by the Governor and Freemen
aforesaid, the fifth Day of the third Month,
called May, One Thousand Six Hundred and
Eighty-Two.*

*Certain CONDITIONS or CONCESSIONS agreed
upon by WILLIAM PENN, Proprietor and
Governor of the Province of Pensilvania, and
those who are the Adventurers and Purchasers
in the same Province, the Eleventh of July,
One Thousand Six Hundred and Eighty-one.*

F I R S T.

THAT so soon as it pleaseth God, that the
abovesaid Persons arrive there, a certain Quan-
tity of Land or Ground Plat, shall be laid out for
a large Town or City, in the most convenient Place
upon the River for Health and Navigation; and
every

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every Purchaser and Adventurer, shall by Lot have so much Land therein as will answer to the Proportion which he hath bought or taken up upon Rent: But it is to be noted, that the Surveyors shall consider what Roads or Highways will be necessary to the Cities, Towns, or thro' the Lands. Great Roads from City to City shall not contain less than *forty* Foot in Breadth, and shall be first laid out and declared to be for Highways, before the Dividend of Acres be laid out for the Purchaser; and the like Observation to be had for the Streets in the Towns and Cities, that there may be convenient Roads and Streets preserved, not to be incroached upon by any Planter or Builder, that none may build irregularly to the Damage of another. *In this, Custom governs.*

II.

THAT the Land in the Town be laid out together after the Proportion of *ten thousand* Acres of the whole Country, that is, *two hundred* Acres if the Place will bear it: However, that the Proportion be by Lot, and entire, so as those that desire to be together, especially those that are by the Catalogue laid together, may be so laid together both in the Town and Country.

III.

THAT when the Country-Lots are laid out, every Purchaser, from *one thousand* to *ten thousand* Acres, or more, not to have above *one thousand* Acres together, unless in *three* Years they plant a Family upon every *thousand* Acres; but that all such as purchase together, lie together; and if as many as comply with this Condition, that the whole be laid out together.

IV.

THAT where any Number of Purchasers, more or less, whose Number of Acres amounts to *five* or

ten thousand Acres, desire to sit together in a Lot or Township, they shall have their Lot or Township cast together, in such Places as have convenient Harbours or navigable Rivers attending it, if such can be found; and in case any one or more Purchasers plant not according to Agreement in this Concession, to the Prejudice of others of the same Township, upon Complaint thereof made to the Governor or his Deputy, with Assistance, they may award (if they see Cause) that the complaining Purchaser may, paying the Survey-Money, and Purchase-Money, and Interest thereof, be entitled, inrolled and lawfully invested in the Lands so not seated.

V.

THAT the Proportion of Lands that shall be laid out in the first great Town or City, for every Purchaser, shall be after the Proportion of *ten Acres* for every *five hundred Acres* purchased, if the Place will allow it.

VI.

THAT notwithstanding there be no mention made, in the several Deeds made to the Purchasers, yet the said *William Penn* does accord and declare, that all Rivers, Rivulets, Woods and Underwoods, Waters, Water-courses, Quarries, Mines and Minerals (except Mines Royal) shall be freely and fully enjoyed, and wholly by the Purchasers, into whose Lot they fall.

VII.

THAT for every *fifty Acres* that shall be allotted to a Servant at the End of his Service, his Quit-Rent shall be *two Shillings per Annum*, and the Master or Owner of the Servant, when he shall take up the other *fifty Acres*, his Quit-Rent shall be *four Shillings* by the Year, or if the Master of the Servant (by Reason in the Indentures he is so obliged to do) allot out to the Servant *fifty Acres* in his own Division, the said Master shall have on Demand al^l

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lotted him, from the Governor, the *one hundred* Acres at the chief Rent of *six Shillings per Annum*.

VIII.

AND for the Encouragement of such as are ingenious and willing to search out Gold and Silver Mines in this Province, it is hereby agreed, that they have Liberty to bore and dig in any Man's Property, fully paying the Damage done; and in case a Discovery should be made, that the Discoverer have one *fifth*, the Owner of the Soil (if not the Discoverer) a *tenth* Part, the Governor *two fifths*, and the rest to the publick Treasury, saving to the King the Share reserved by Patent.

IX.

IN every *hundred thousand* Acres, the Governor and Proprietary, by Lot, reserveth *ten* to himself, what shall lie but in one Place.

X.

THAT every Man shall be bound to plant or man so much of his Share of Land as shall be set out and surveyed, within *three* Years after it is so set out and surveyed, or else it shall be lawful for new Comers to be settled thereupon, paying to them their Survey-Money, and they go up higher for their Shares.

XI.

THERE shall be no buying and selling, be it with an *Indian*, or one among another, of any Goods to be exported, but what shall be performed in publick Market, when such Places shall be set apart or erected, where they shall pass the publick Stamp or Mark. If bad Ware, and prized as good; or deceitful in Proportion or Weight, to forfeit the Value as if good and full Weight and Proportion, to the publick Treasury of the Province, whether it be the Merchandize of the *Indian*, or that of the Planters.

XII.

XII.

AND FORASMUCH as it is usual with the Planters, to over-reach the poor Natives of the Country in Trade, by Goods not being good of the Kind, or debased with Mixtures, with which they are sensibly aggrieved, it is agreed, whatever is sold to the *Indians*, in Consideration of their Furs, shall be sold in the Market-Place, and there suffer the Test, whether good or bad; if good, to pass; if not good, not to be sold for good, that the Natives may not be abused nor provoked.

XIII.

THAT no Man shall by any Ways or Means, in Word or Deed, affront or wrong any *Indian*, but he shall incur the same Penalty of the Law, as if he had committed it against his Fellow-Planter; and if any *Indian* shall abuse, in Word or Deed, any Planter of this Province, that he shall not be his own Judge upon the *Indian*, but he shall make his Complaint to the Governor of the Province, or his Lieutenant or Deputy, or some inferior Magistrate near him, who shall, to the utmost of his Power, take Care with the King of the said *Indian*, that all reasonable Satisfaction be made to the said injured Planter.

XIV.

THAT all Differences between the Planters and the Natives, shall also be ended by *twelve* Men, that is, by *six* Planters and *six* Natives, that so we may live friendly together as much as in us lieth, preventing all Occasions of Heart-burnings and Mischiefs.

XV.

THAT the *Indians* shall have Liberty to do all Things relating to the Improvement of their Ground, and providing Sustainance for their Families, that any of the Planters shall enjoy.

XVI.

THAT the Laws as to Slanders, Drunkenness, Swearing, Cursing, Pride in Apparel, Trespassies, Distresses, Replevins, Weights and Measures, shall be the same as in *England*, till altered by Law in this Province.

XVII.

THAT all shall mark their Hogs, Sheep and other Cattle, and what are not marked within *three* Months after it is in their Possession, be it young or old, it shall be forfeited to the Governor, that so People may be compelled to avoid the Occasions of much Strife between Planters.

XVIII.

THAT in clearing the Ground, Care be taken to leave one Acre of Trees for every *five* Acres clear'd, especially to preserve Oak and Mulberries for Silk and Shipping.

XIX.

THAT all Ship-Masters shall give an Account of their Countries, Names, Ships, Owners, Freights and Passengers, to an Officer to be appointed for that Purpose, which shall be registred within *two* Days after their Arrival; and if they shall refuse so to do, that then none presume to trade with them, upon Forfeiture thereof; and that such Masters be looked upon, as having an evil Intention to the Province.

XX.

THAT no Person leave the Province, without Publication being made thereof, in the Market-Place, *three* Weeks before, and a Certificate from some Justice of the Peace, of his Cleanness with his Neighbours, and those he hath dealt withal, so far as such an Assurance can be attained and given: And if any Master of a Ship shall, contrary hereunto, receive and carry away any Person, that hath
not

not given that publick Notice, the said Master shall be liable to all Debts owing by the said Person, so secretly transported from the Province. *Lastly*, that these are to be added to, or corrected, by and with the Consent of the Parties hereunto subscribed.

*Sealed and delivered in
the Presence of*

WILLIAM PENN!

William Boelham,
Harbert Springet,
Thomas Prudyard.

Sealed and delivered in the Presence of all the Proprietors who have hereunto subscribed, except Thomas Farrinborough and John Goodson, in the Presence of

Hugh Chamberlen,
R. Murray,
Harbert Springet,
Humphry South,
Thomas Barker,
Samuel Jobson,
John-Joseph Moore,

William Powel,
Richard Davie,
Griffith Jones,
Hugh Lambe,
Thomas Farrinborough,
John Goodson.

ACT ACT of SETTLEMENT, made at
Chester, 1682.

WHEREAS WILLIAM PENN, Proprietary and Governor of the Province of *Pennsylvania*, and Territories thereunto belonging; hath, out of his great Kindness and Goodness to the Inhabitants thereof, been favourably pleased to give and grant unto them a Charter of Liberties and Privileges, dated the *twenty-fifth* Day of the *second* Month, *One Thousand Six Hundred and Eighty-two*; By which Charter it is said, the Government shall

consist of the Governour and Freemen of the said Province, in the Form of a provincial Council and general Assembly; and that the provincial Council shall consist of *seventy-two* Members, to be chosen by the Freemen; and that the general Assembly may, the *first* Year, consist of the whole Body of the Freeholders, and ever after of an elected Number, not exceeding *two hundred* Persons, without the Consent of the provincial Council and general Assembly: And such Assembly to sit yearly on the *twentieth* Day of the *third* Month, as in the *first, second, third, sixth, fourteenth* and *sixteenth* Articles of the Charter, Reference being thereunto had, doth more at large appear.

AND FORASMUCH as this Charter was the *first* of those probationary Laws, that were agreed to and made by and between the Proprietary, and Governour, and Freemen in *England*, that were Purchasers in this Province, which said Laws, in the whole and in every Part thereof, were to be submitted to the Explanation and Confirmation of the *first* provincial Council and general Assembly that was to be held in this Province, as by the Title and *first* Law of the said Agreement, doth plainly appear.

AND WHEREAS, the Proprietary and Governour hath, according to that Charter, issued out Writs to the respective Sheriffs of the *six* Counties of this Province, to summon the Freemen thereof, to chuse in each County *twelve* Persons of most Note for their Sobriety, Wisdom, and Integrity, to serve in provincial Council; and also to inform the Freemen that they might come, for this Time, in their own Persons, to make up a general Assembly, according to Charter. And that the said respective Sheriffs by their Returns, and the Freemen by their Petitions to the Proprietary and Governour, have plainly declared, that the Fewness of the People, their Inability in Estate, and Unskilfulness in Mat-

ters of Government, will not permit them to serve in so large a Council and Assembly, as by the Charter is expressed; and therefore do desire, that the Members now chosen to be their Deputies and Representatives, may serve both for provincial Council and general Assembly; that is to say, *three* out of each County for the provincial Council, and the remaining *nine* for the general Assembly, according to Act, as fully and amply as if the said provincial Council and general Assembly had consisted of the said Numbers of Members mentioned in the Charter of Liberties, upon Consideration of the Premises; and that the Proprietary and Governor may testify his great Willingness to comply with that which may be most easy and pleasing, he is willing that it be enacted.

AND BE IT ENACTED by the Proprietary and Governor, by and with the unanimous Advice and Consent of the Freemen of this Province, and Territories thereunto belonging, in provincial Council and general Assembly met, That the Numbers desired by the Inhabitants in their several Petitions, and express'd to be their Desires by the Sheriffs Returns to the Proprietary and Governor, to serve as the provincial Council and general Assembly, be allowed and taken, to all Intents and Purposes, to be the provincial Council and general Assembly of this Province: And that the *Quorum* shall be proportionably settled, according to the Method express'd in the *fifth* Article; that is to say, *two thirds* to make a *Quorum* in extraordinary Cases, and *one third* in ordinary Cases, as is provided in the said *fifth* Article: Which said provincial Council and general Assembly, so already chosen, are and shall be held and reputed the legal provincial Council and general Assembly of the Province and Territories thereof, for this present Year; and that from and after the Expiration of this present Year, the provincial Council shall consist of *three* Persons

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out of each County, as aforesaid; and the Assembly shall consist of *six* Persons out of each County, which said provincial Council and general Assembly may be hereafter enlarged, as the Governor, and provincial Council and Assembly shall see Cause, so as the said Number do not, at any time, exceed the Limitations express'd in the *third* and *sixteenth* Article of the Charter, any Thing in this Act, or any other Act, Charter or Law, to the contrary in any wise notwithstanding.

AND because the Freemen of this Province and Territories thereof, are deeply sensible of the kind and good Intentions of the Proprietary and Governor in this Charter, and of the singular Benefit that redounds to them thereby, and are desirous that it may in all Things best answer the Design of the publick Good, the Freemen of the said provincial Council and general Assembly met, having unanimously requested some Variations, Explanations and Additions, in and to the said Charter, he the Proprietary and Governor, hath therefore yielded that it be enacted:

AND it is hereby ENACTED, That the Time for the Meeting of the Freemen of this Province and Territories thereof, to chuse their Deputies to represent and serve them, in provincial Council and general Assembly, shall be yearly hereafter, on the *tenth* Day of the *first* Month, which Members so chosen for the provincial Council, shall make their Appearance, and give their Attendance, in provincial Council, within *twenty* Days after their Election; and the said Members elected to serve in general Assembly, shall yearly meet and assemble, on the *tenth* Day of the said *third* Month, to the End and Purposes declared in the Charter, at and in such Place as is limited in the said Charter, unless the Governor and provincial Council shall, at any time, see Cause to the contrary.

AND

AND WHEREAS it is express'd in the said Charter, That the Governor and provincial Council shall prepare and propose to the general Assembly, all Bills which they shall think fit to pass into Laws, within the said Province: BE IT ENACTED by the Authority aforesaid, That the Governor and provincial Council, shall have the Power of preparing and proposing to the general Assembly, all Bills that they shall jointly assent to and think fit to have pass'd into Laws, in the said Province and Territories thereof, that are not inconsistent with, but according to the Powers granted by the King's Letters Patents to the Proprietary and Governor aforesaid; which Bills shall be published in the most noted Towns and Places in the said Province and Territories thereof, *twenty Days* before the Meeting of the general Assembly aforesaid.

AND for the better Decision and Determination of all Matters and Questions upon Elections of Representatives, and Debates in provincial Council and general Assembly, It is hereby declared and ENACTED, &c. That all Questions upon Elections of Representatives, and Debates in provincial Council and general Assembly, in personal Matters, shall be decided by the Ballot; and all Questions about preparing and enacting Laws, shall be determined by the Vote.

AND that so united an Interest may have an united Term and Stile to be express'd by, It is hereby declared and ENACTED, That the general Assembly shall be henceforth termed or called THE ASSEMBLY; and the Meeting of the Governor, provincial Council, and Assembly, and their Acts and Proceedings, shall be stiled and called THE MEETINGS, SESSIONS, ACTS or PROCEEDINGS of the GENERAL ASSEMBLY of the Province of Pensilvania, and the Territories thereunto belonging. And that the Freemen of this Province,
and

and the Territories thereof, may not on their Part, seem unmindful or ungrateful to their Proprietary and Governor, for the Testimony he hath been pleased to give, of his great Good-Will towards them and theirs, nor be wanting of that Duty they owe to him and themselves; they have prayed Leave hereby to declare their most hearty Acceptance of the said Charter, and their humble Acknowledgments for the same, solemnly promising, that they will inviolably observe and keep the same, except as is therein excepted, and will neither directly nor indirectly contrive, propose, enact, or do any Thing or Things whatsoever, by Virtue of the Power thereby granted unto them, that shall or may redound to the Prejudice or Disadvantage of the Proprietary and Governor, his Heirs and Successors, in their just Rights, Properties and Privileges, granted to him and them by the King's Letters Patents, and Deeds of Release and Feoffment made to him by *JAMES Duke of YORK and ALBANY, &c.* and whom they desire may be hereby acknowledged and recognized the true and rightful Proprietaries and Governors of the Province of *Pennsylvania*, and Territories annexed, according to the King's Letters Patents, and Deeds of Release and Feoffment from *James, Duke of York and Albany*, unto the said Proprietary and Governor, his Heirs and Successors; any Thing in this Act, or any other Act, Grant, Charter, or Law, to the contrary of these Things herein and hereby explained, altered, limited, promised, declared, and enacted, in any wise notwithstanding.

The FRAME of the Government of the Province of Pennsylvania, and Territories thereunto annexed in America.

TO ALL PERSONS, To whom these Presents may come, WHEREAS King *CHARLES the Second*, by his Letters Patents, under the great Seal of *England*, bearing Date the *fourth Day of March*, in the *thirty and third Year* of the King, for divers Considerations therein mentioned, hath been graciously pleased to give and grant unto me *William Penn* (by the Name of *William Penn*, Esq; Son and Heir of Sir *William Penn* deceased) and to my Heirs and Assigns for ever, all that Tract of Land, or Province called *Pennsylvania*, in *America*, with divers great Powers, Preheminences, Royalties, Jurisdictions, and Authorities, necessary for the Well-being and Government thereof. AND WHEREAS the King's dearest Brother, *James Duke of York and Albany*, &c. by his Deeds of Feoffment, under his Hand and Seal, duly perfected, bearing Date the *four and twentieth Day of August*, *One Thousand Six Hundred Eighty and Two*, did grant unto me, my Heirs and Assigns, all that Tract of Land, lying and being from *twelve Miles Northward of Newcastle upon Delaware River*, in *America*, to *Cape Hinlopen*, upon the said River and Bay of *Delaware* Southward, together with all Royalties, Franchises, Duties, Jurisdictions, Liberties and Privileges thereunto belonging.

NOW KNOW YE, That for the Well-being and good Government of the said Province and Territories thereunto annexed, and for the Encouragement of all the Freemen and Planters, that may be therein concerned, in Pursuance of the Rights and Powers afore-mentioned, I the said *William Penn* have declared, granted and confirmed, and by these Presents, for me, my Heirs and Assigns,
do

do declare, grant and confirm unto all the Freemen, Planters and Adventurers of, in and to the said Province and Territories thereof, these Liberties, Franchises and Properties, so far as in me lieth, to be held, enjoyed and kept by the Freemen, Planters and Adventurers of and in the said Province of *Pensylvania* and Territories thereunto annexed, for ever.

IMPRIMIS.

THAT the Government of this Province and Territories thereof shall, from Time to Time, according to the Powers of the Patent and Deeds of Feoffment aforesaid, consist of the Proprietary and Governor, and Freemen of the said Province and Territories thereof, in Form of provincial Council and Assembly, which provincial Council shall consist of *eighteen* Persons, being *three* out of each County, and which Assembly shall consist of *thirty-six* Persons, being *six* out of each County, Men of most Note for their Virtue, Wisdom and Ability, by whom all Laws shall be made, Officers chosen, and publick Affairs transacted, as is hereafter limited and declared.

II.

THERE being *three* Persons already chosen for every respective County of this Province and Territories thereof, to serve in the provincial Council, *one* of them for *three* Years, *one* for *two* Years, and *one* for *one* Year; and *one* of them being to go off yearly in every County; that on the *tenth* Day of the *first* Month yearly, for ever after, the Freemen of the said Province and Territories thereof shall meet together in the most convenient Place in every County of this Province and Territories thereof, then and there to chuse *one* Person, qualified as aforesaid, in every County, being *one third* of the Number to serve in provincial Council, for *three* Years; It being intended, that *one third* of the whole provincial Council, consisting and to consist

of

FIVE INDIAN NATIONS, &c.

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of *eighteen* Persons, falling off yearly, it shall be yearly supplied with such yearly Elections, as aforesaid; and that *one* Person shall not continue in longer than *three* Years; and in Case any Member shall decease before the last Election, during his Time, that then at the next Election ensuing his Decease, another shall be chosen to supply his Place for the remaining Time he was to have served, and no longer.

III.

THAT after the *first seven* Years, every one of the said *third* Parts that goeth yearly off, shall be incapable of being chosen again for one whole Year following, that so all that are capable and qualified as aforesaid, may be fitted for Government, and have a Share of the Care and Burthen of it.

IV.

THAT the provincial Council in all Cases and Matters of Moment, as their arguing upon Bills to be passed into Laws, or Proceedings about erecting of Courts of Justice, sitting in Judgment upon Criminals impeached, and Choice of Officers in such Manner as is herein after expressed, not less than *two thirds* of the whole shall make a *Quorum*; and that the Consent and Approbation of *two thirds* of that *Quorum* shall be had in all such Cases or Matters of Moment: And that in all Cases and Matters of lesser Moment, *one third* of the whole shall make a *Quorum*, the Majority of which shall and may always determine in such Cases and Causes of lesser Moment.

V.

THAT the Governor and provincial Council, shall have the Power of preparing and proposing to the Assembly hereafter mentioned, all Bills which they shall see needful, and that shall at any Time be past into Laws within the said Province and Territories thereof, which Bills shall be published and

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affixed to the most noted Place in every County of this Province and Territories thereof, *twenty* Days before the Meeting of the Assembly, in order to passing them into Laws.

VI.

THAT the Governor and provincial Council shall take Care, that all Laws, Statutes, and Ordinances, which shall at any Time be made within the said Province and Territories, be duly and diligently executed.

VII.

THAT the Governor and provincial Council shall, at all Times, have the Care of the Peace and Safety of this Province and Territories thereof. and that nothing be by any Person attempted to the Subversion of this Frame of Government.

VIII.

THAT the Governor and provincial Council shall, at all Times, settle and order the Situation of all Cities and Market-towns in every County, modelling therein all publick Buildings, Streets, and Market-places; and shall appoint all necessary Roads and Highways in this Province and Territories thereof.

IX.

THAT the Governor and provincial Council shall, at all Times, have Power to inspect the Management of the publick Treasury, and punish those who shall convert any Part thereof to any other Use, than what hath been agreed upon by the Governor, provincial Council, and Assembly.

X.

THAT the Governor and provincial Council, shall erect and order all publick Schools, and encourage and reward the Authors of useful Sciences and laudable Inventions, in the said Province and Territories thereof.

XI.

XI.

THAT *one third* of the provincial Council residing with the Governor, shall with the Governor, from Time to Time, have the Care of the Management of all publick Affairs, relating to the Peace, Justice, Treasury, and Improvement of the Province and Territories, and to the good Education of Youth, and Sobriety of the Manners of the Inhabitants therein, as aforesaid.

XII.

THAT the Governor or his Deputy, shall always preside in the provincial Council, and that he shall at no Time therein perform any publick Act of State whatsoever, that shall or may relate unto the Justice, Trade, Treasury, or Safety of the Province and Territories aforesaid, but by and with the Advice and Consent of the provincial Council thereof.

XIII.

AND to the End that all Bills prepared and agreed by the Governor and provincial Council, as aforesaid, may yet have the more full Concurrence of the Freemen of the Province and Territories thereof, it is declared, granted and confirmed, that at the Time and Place in every County, for the Choice of *one* Person to serve in provincial Council, as aforesaid, the respective Members thereof, at their said Meeting, shall yearly chuse out of themselves *six* Persons of most Note, for Virtue, Wisdom, and Ability, to serve in Assembly, as their Representatives, who shall yearly meet on the *tenth* Day of the *third* Month, in the capital Town or City of the said Province, unless the Governor and provincial Council shall think fit to appoint another Place to meet in, where, during *eight* Days, the severall Members may confer freely with one another; and if any of them see meet, with a Committee

mitte of the provincial Council, which shall be at that Time purposely appointed, to receive from any of them, Proposals for the Alterations or Amendment of any of the said proposed and promulgated Bills; and on the *ninth* Day from their so meeting, the said Assembly, after their reading over of the proposed Bills, by the Clerk of the provincial Council, and the Occasions and Motives for them being opened by the Governor or his Deputy, shall, upon the Question by him put, give their Affirmative or Negative, which to them seemeth best, in such Manner as is hereafter expressed: But not less than *two thirds* shall make a *Quorum* in the passing of all Bills into Laws, and Choice of such Officers as are by them to be chosen.

XIV.

THAT the Laws so prepared and proposed as aforesaid, that are assented to by the Assembly, shall be enrolled as Laws of this Province and Territories thereof, with this Stile, *By the Governor, with the Assent and Approbation of the Freemen in provincial Council and Assembly met*; and from henceforth, the Meetings, Sessions, Acts, and Proceedings of the Governor, provincial Council and Assembly, shall be stiled and called, *The Meeting, Sessions, and Proceedings, of the general Assembly of the Province of Pennsylvania, and the Territories thereto belonging.*

XV.

AND that the Representatives of the People in provincial Council and Assembly, may in after Ages bear some Proportion with the Increase and multiplying of the People, the Number of such Representatives of the People, may be from Time to Time increased and enlarged, so as at no Time the Number exceed *seventy-two* for the provincial Council, and *two hundred* for the Assembly; the Appointment and Proportion of which Number, a
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also the laying and methodizing of the Choice of such Representatives in future Time, most equally to the Division of the Country, or Number of the Inhabitants, is left to the Governor and provincial Council to propose, and the Assembly to resolve, so that the Order of Proportion be strictly observed, both in the Choice of the Council and the respective Committees thereof, *viz. one third* to go off and come in yearly.

XVI.

THAT from and after the Death of this present Governor, the provincial Council shall, together with the succeeding Governor, erect from Time to Time, standing Courts of Justice, in such Places and Number, as they shall judge convenient for the good Government of the said Province and Territories thereof; and that the provincial Council shall, on the *thirteenth* Day of the *second* Month then next ensuing, elect and present to the Governor or his Deputy, a double Number of Persons, to serve for Judges, Treasurers, and Masters of the Rolls, within the said Province and Territories, to continue so long as they shall well behave themselves in those Capacities respectively; and the Freemen of the said Province, in an Assembly met on the *thirteenth* Day of the *third* Month, yearly, shall elect and then present to the Governor or his Deputy, a double Number of Persons to serve for Sheriffs, Justices of the Peace and Coroners, for the Year next ensuing; out of which respective Elections and Presentments, the Governor or his Deputy, shall nominate and commissionate the proper Number for each Office, the *third* Day after the said respective Presentments; or else the *first* named in such Presentment for each Office as aforesaid, shall stand and serve in that Office, the Time before respectively limited; and in Case of Death or Default, such Vacancy shall be supplied by the

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The HISTORY of the

Governor and provincial Council in Manner aforesaid.

XVII.

THAT the Assembly shall continue so long as may be needful, to impeach Criminals fit to be there impeached, to pass such Bills into Laws as are proposed to them, which they shall think fit to pass into Laws; and till such Time as the Governor and provincial Council shall declare, *That they bear nothing further to propose unto them for their Assent and Approbation*; and that Declaration shall be a Dismiss to the Assembly for that Time; which Assembly shall be notwithstanding, capable of assembling together, upon the Summons of the Governor and provincial Council, at any Time during that Year, if the Governor and provincial Council shall see Occasion for their so assembling.

XVIII.

THAT all the Elections of Members or Representatives of the People to serve in provincial Council and Assembly, and all Questions to be determined by both or either of them, that relate to Choice of Officers, and all or any other personal Matters, shall be resolved or determined by the *Ballot*; and all Things relating to the preparing and passing of Bills into Laws, shall be openly declared and resolved by the *Vote*.

XIX.

THAT at all Times when the Proprietary and Governor shall happen to be an Infant, and under the Age of *one and twenty* Years, and no Guardians or Commissioners are appointed in Writing, by the Father of the said Infant, or that such Guardian shall be deceased, that during such Minority, the provincial Council shall, from Time to Time, as they

they shall see meet, constitute and appoint Guardians and Commissioners not exceeding *three*, one of which shall preside as Deputy and chief Guardian during such Minority, and shall have and execute, with the Consent of one of the other two, all the Power of a Governor in all publick Affairs and Concerns of the said Province and Territories thereof, according to Charter; which said Guardian so appointed, shall also have the Care and Oversight of the Estate of the said Minor, and be yearly accountable and responsible for the same to the provincial Council, and the provincial Council to the Minor, when of Age, or to the next Heir, in case of the Minor's Death, for the Trust before expressed.

XX.

THAT as often as any Days of the Month mentioned in any Article of this Charter, shall fall upon the *first* Day of the Week, commonly called the *Lord's-day*, the Business appointed for that Day, shall be deferred until the next Day, unless in Cases of Emergency.

XXI.

AND for the Satisfaction and Encouragement of all Aliens, I do give and grant, that if any Alien, who is or shall be a Purchaser, or who doth or shall inhabit in this Province or Territories thereof, shall decease at any Time before he can well be naturalized, his Right and Interest therein, shall notwithstanding descend to his Wife and Children, or other his Relations, be he Testate or Intestate, according to the Laws of this Province and Territories thereof in such Cases provided, in as free and ample Manner, to all Intents and Purposes, as if the said Alien had been naturalized.

XXII.

AND that the Inhabitants of this Province and Territories thereof, may be accommodated with
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such Food and Sustainance; as God in his Providence hath freely afforded, I do also further grant to the Inhabitants of this Province and Territories thereof, Liberty to fowl and hunt upon the Lands they hold, and all other Lands therein not enclosed; and to fish in all Waters in the said Lands, and in all Rivers and Rivulets in and belonging to this Province and Territories thereof, with Liberty to draw his or their Fish on Shore on any Man's Lands, so as it be not to the Detriment or Annoyance of the Owner thereof, except such Lands as do lie upon Inland Rivulets that are not Boatable, or which are or may be hereafter erected into Manors.

XXIII.

AND that all the Inhabitants of this Province and Territories thereof, whether Purchasers or others, may have the last worldly Pledge of my good and kind Intentions to them and theirs, I do give, grant, and confirm to all, and every one of them, full and quiet Possession of their respective Lands, to which they have any lawful or equitable Claim, saving only such Rents and Services for the same as are or customarily ought to be reserved to me, my Heirs or Assigns.

XXIV.

THAT no Act, Law or Ordinance whatsoever, shall at any Time hereafter be made or done by the Proprietary and Governor of this Province and Territories thereunto belonging, his Heirs or Assigns, or by the Freemen in provincial Council or Assembly, to alter, change, or diminish, the Form or Effect of this Charter, or any Part or Clause thereof, contrary to the true Intent and Meaning thereof, without the Consent of the Proprietary and Governor, his Heirs or Assigns, and *six* Parts of *seven* of the said Freemen in provincial Council and Assembly met.

XXV.

XXV.

AND LASTLY, I the said *William Penn*, Proprietary and Governor of the Province of *Pennsylvania* and Territories thereunto belonging, for me, my Heirs and Assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, nor 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: And if any Thing be procured by any Person or Persons, contrary to these Premises, it shall be held of no Force or Effect. IN WITNESS whereof, I the said *William Penn*, at *Philadelphia* in *Pennsylvania*, have unto this present Charter of Liberties set my Hand and broad Seal, this *second* Day of the *second* Month, in the Year of our Lord *one Thousand six Hundred Eighty and Three*, being the *five and thirtieth* Year of the King, and the *third* Year of my Government.

WILLIAM PENN.

THIS within CHARTER, which we have distinctly heard read and thankfully received, shall be by us inviolably kept; at *Philadelphia*, the *second* Day of the *second* Month, one Thousand six Hundred Eighty and Three.

The Members of the provincial Council present.

William Markham,
John Moll,
William Haige,
Christopher Taylor,
John Simcock,
William Clayton,
Francis Whittwel,
Thomas Holme,

William Clark,
William Biles,
James Harrison,
John Richardson,
Philip-Thomas Lenman,
Secr. Gov.
Richard Ingelo, Cl. Coun.

The Members of the Assembly present.

<i>Casparus Harman,</i>	<i>Thomas Hassald,</i>
<i>John Darby,</i>	<i>John Hart,</i>
<i>Benjamin Williams,</i>	<i>Robert Hall,</i>
<i>William Guest,</i>	<i>Robert Bedwell,</i>
<i>Valentine Hollingsworth,</i>	<i>William Simsmore,</i>
<i>James Boyden,</i>	<i>Samuel Darke,</i>
<i>Bennony Bishop,</i>	<i>Robert Lucas,</i>
<i>John Beazor,</i>	<i>James Williams,</i>
<i>John Harding,</i>	<i>John Blunston,</i>
<i>Andrews Bringston,</i>	<i>John Songburst,</i>
<i>Simon Irons,</i>	<i>John Hill,</i>
<i>John Wood,</i>	<i>Nicholas Wain,</i>
<i>John Curtis,</i>	<i>Thomas Fitzwater,</i>
<i>Daniel Brown,</i>	<i>John Cross,</i>
<i>William Fitcher,</i>	<i>Luke Watson,</i>
<i>John Kipsbaven,</i>	<i>Joseph Phipps,</i>
<i>Alexander Molestine,</i>	<i>Dennis Rotchford,</i>
<i>Robert Bracy, sen.</i>	<i>John Brinklair,</i>
<i>Thomas Bracy,</i>	<i>Henry Bowman,</i>
<i>William Yardly,</i>	<i>Cornelius Verboose,</i>
<i>John Hastings,</i>	<i>John Southworth, Cl. of</i>
<i>Robert Wade,</i>	<i>the Synod.</i>

Some of the Inhabitants of *Philadelphia* present.

<i>William Howel,</i>	<i>Henry Lewis,</i>
<i>Edmund Warner,</i>	<i>Samuel Miles.</i>

The CHARTER of the City of PHILADELPHIA.

WILLIAM PENN, Proprietary and Governor of the Province of *Pensylvania*, &c. To all to whom these Presents shall come, sends greeting. KNOW YE, That at the humble Request

Request of the Inhabitants and Settlers of this Town of *Philadelphia*, being some of the first Adventurers and Purchasers within this Province, for their Encouragement, and for the more immediate and entire Government of the said Town, and better Regulation of Trade therein: I have by Virtue of the King's Letters Patent, under the Great Seal of *England*, erected the said Town into a Borough, and by these Presents do erect the said Town and Borough of *Philadelphia* into a CITY; which said City shall extend the Limits and Bounds, as it is laid out between *Delaware* and *Skrylkill*.

AND I do for me, my Heirs and Assigns, grant and ordain, that the Streets of the said City, shall for ever continue as they are now laid out and regulated; and that the End of each Street extending into the River *Delaware*, shall be and continue free for the Use and Service of the said City, and the Inhabitants thereof, who may improve the same for the best Advantage of the City, and build Wharfs so far out into the River there, as the Mayor, Aldermen, and Common-council, herein after mentioned, shall see meet.

AND I do nominate *Edward Shippen* to be the present Mayor, who shall so continue until another be chosen, as is herein after directed.

AND I do hereby assign and name *Thomas Story* to be present Recorder, to do and execute all Things which unto the Office of Recorder of the said City doth or may belong.

AND I do appoint *Thomas Farmer* to be the present Sheriff, and *Robert Asbeton* to be the present Town-clerk, and Clerk of the Peace, and Clerk of the Court and Courts.

AND I do hereby name, constitute, and appoint, *Josua Carpenter*, *Griffith Jones*, *Anthony Morris*, *Joseph Wilcox*, *Natban Stanbury*, *Charles Rea*, *Thomas Masters*, and *William Carter*, Citi-

zens and Inhabitants of the said City, to be the present Aldermen of the said City of *Philadelphia*.

AND I do also nominate and appoint *John Parsons, William Hudson, William Lee, Nebemiah Allen, Thomas Paschal, John Bud, jun. Edward Smout, Samuel Buckley, James Atkinson, Pentecost Teague, Francis Cook, and Henry Badcooke*, to be the *twelve* present Common-council Men of the said City.

AND I do by these Presents, for me, my Heirs and Successors, give, grant and declare, that the said Mayor, Recorder, Aldermen, and Common-council Men for the Time being, and they which hereafter shall be Mayor, Recorder, Aldermen and Common-council Men within the said City, and their Successors, for ever hereafter be and shall be, by Virtue of these Presents, one Body corporate and politick in Deed, and by the Name of the Mayor and Commonalty of the City of *Philadelphia*, in the Province of *Pensylvania*: And them by the Name of Mayor and Commonalty of the City of *Philadelphia*, one Body politick and corporate in Deed and in Name, I do for me, my Heirs and Successors, fully create, constitute and confirm, by these Presents; and that by the same Name of Mayor and Commonalty of the City of *Philadelphia*, they may have perpetual Succession; and that they and their Successors, by the Name of Mayor and Commonalty of the City of *Philadelphia*, be and at all Times hereafter shall be Persons able and capable in Law, to have, get, receive, and possess, Lands and Tenements, Rents, Liberties, Jurisdictions, Franchises and Hereditaments, to them and their Successors in Fee-simple, or for Term of Life, Lives, Years, or otherwise; and also Goods, Chattels, and other Things, of what Nature, Kind, or Quality soever.

AND also to give, grant, let, sell and assign the same Lands, Tenements, Hereditaments, Goods, Chattels,

Chattels, and to do and execute all other Things about the same, by the Name aforesaid; and also that they be and shall be for ever hereafter Persons able and capable in Law, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any the Courts and other Places, and before any Judges, Justices, and other Persons whatsoever within the said Province, in all Manner of Actions, Suits, Complaints, Pleas, Causes and Matters whatsoever, and of what Nature or Kind soever.

AND that it shall and may be lawful to and for the said Mayor and Commonalty of the said City of *Philadelphia*, and their Successors, for ever hereafter, to have and use one common Seal for the sealing of all Businesses touching the said Corporation, and the same from Time to Time at their Will and Pleasure to change or alter.

AND I do for me, my Heirs and Successors, give, and by these Presents, grant full Power and Authority unto the Mayor, Recorder and Common-Council of the said City of *Philadelphia*, or any *five* or more of the Aldermen, and *nine* or more of the Common-Council Men, the Mayor and Recorder for the time being, or either of them, being present, on the *first third* Day of the Week, in the *eighth* Month yearly for ever hereafter, publickly to meet at a convenient Room or Place within the said City, to be by them appointed for that Purpose, and then and there nominate, elect and chuse one of the Aldermen to be Mayor for that ensuing Year.

AND also to add to the Number of Aldermen and Common-Council Men, such and so many of those, that by Virtue of these Presents shall be admitted Freemen of the said City from Time to Time, as they the said Mayor, Aldermen and Common-Council shall see Occasion.

AND

AND that such Person who shall be so elected Mayor aforesaid, shall within *three* Days next after such Election, be presented before the Governor of this Province, or his Deputy for the time being, and there shall subscribe the Declarations and Profession of his Christian Belief, according to the late Act of Parliament made in the *first* Year of King *William's* Reign, entitled, *An Act for exempting their Majesties Subjects dissenting from the Church of England, from the Penalties of certain Laws*; and then and there the Mayor so presented, shall make his solemn Affirmation and Engagement for the due Execution of his Office.

AND that the Recorder, Sheriff, Aldermen, and Common-council Men, and all other Officers of the said City, before they or any of them shall be admitted to execute their respective Offices, shall make and subscribe the said Declarations and Profession aforesaid, before the Mayor for the Time being, and at the same Time shall be attested for the due Execution of their Offices respectively; which Declarations, Promises and Attestations, the Mayor of the said City for the Time being, is hereby impowered to take and administer accordingly.

AND that the Mayor, Recorder and Aldermen of the said City, for the Time being, shall be Justices of the Peace and Justices of Oyer and Terminer; and are hereby impowered to act within the said City and Liberties thereof accordingly, as fully and amply as any Justice or Justices of the Peace or Oyer and Terminer, can or may do within the said Province.

AND that they or any *four* or more of them (whereof the Mayor and Recorder of the said City for the Time being, shall be *two*) shall and may for ever hereafter have Power and Authority, by Virtue of these Presents, to hear and enquire into all and all Manner of Treasons, Murthers, Manslaughters,

slaughters, and all Manner of Felonies and other Crimes and Offences, Capital and Criminal, whatsoever, according to the Laws of this Province and of the Kingdom of *England*, with Power also to hear and determine all petty Larcenies, Routs, Riots, unlawful Assemblies; and to try and punish all Persons that shall be convicted for Drunkenness, Swearing, Scolding, breaking the Peace, or such like Offences, which are by the Laws of this Province to be punished by Fine, Imprisonment or Whipping; with Power also to award Process against all Rioters and Breakers of the Peace, and to bind them, and all other Offenders and Persons of evil Fame, to the Peace or good Behaviour, as any Justice or Justices of the Peace can do, without being accountable to me or my Heirs, for any Fines or Amerciaments to be imposed for the said Offences or any of them.

AND I do hereby impower them or any *four* of them (whereof the Mayor and Recorder for the Time being, shall be *two*) with the City Sheriff and Town-clerk, to hold and keep a Court of Record, Quarterly, or oftener, if they see Occasion, for the enquiring, hearing and determining of the Pleas and Matters aforesaid; and upon their own View, or after a legal Procedure in some of those Courts, to cause all Nuisances and Encroachments in the Streets of the said City to be removed, and punish the Parties concerned, as the Law and Usage in such Cases shall require.

AND I do by these Presents assign and appoint, that the present Mayor, Recorder, and Aldermen herein before-mentioned, be the present Justices of the Peace, and Oyer and Terminer, within the said City; and that they and all others that shall be Mayors, Recorders and Aldermen of the said City for the Time being, shall have full Power and Authority, and are hereby impowered

and authorized, without any further or other Commission, to be Justices of the Peace, and of Oyer and Terminer, within the said City for ever; and shall also be Justices of the Peace, and the Mayor and Recorder shall be of the *Quorum* of the Justices of the County Courts, Quarter-sessions, Oyer and Terminer, and Goal Delivery, in the said County of *Philadelphia*; and shall have full Power to award Process, bind to the Peace or Behaviour, or commit to Prison, for any Matter or Cause, arising without the said City and within the Body of the aforesaid County, as Occasion shall require; and to cause Kalendars to be made of such Prisoners, which, together with all Recognizances and Examinations taken before them, for or concerning any Matter or Cause not determinable by them, shall be duly returned to the Judges or Justices of the said County, in their respective Courts where the same shall be cognizable.

AND that it may be lawful to and for the said Mayor and Commonalty and their Successors, when they see Occasion, to erect a Goal or Prison and Court-house within the said City.

AND that the Mayor and Recorder for the Time being, shall have, and by these Presents have Power to take Recognizance of Debts there, according to the Statute of Merchants, and of Action Burnel; and to use and affix the common Seal thereupon, and to all Certificates concerning the same.

AND that it may be lawful to and for the Mayor of the said City, for the Time being, for ever hereafter to nominate, and from Time to Time appoint the Clerk of the Market, who shall have Assize of Bread, Wine, Beer, Wood, and other Things; and to do, execute and perform all Things belonging to the Clerk of the Market within the said City.

AND

AND I will that the Coroners to be chosen by the County of *Philadelphia* for the Time being, shall be Coroners of the said City and Liberties thereof; but that the Freemen and Inhabitants of the said City shall from Time to Time, as often as Occasion be, have equal Liberty with the Inhabitants of the said County, to recommend or chuse Persons to serve in the respective Capacities of Coroners and Sheriffs for the County of *Philadelphia*, who shall reside within the said City.

AND that the Sheriff of the said City and County for the Time being, shall be the Water-Bailiff, who shall and may execute and perform all Things belonging to the Officer of Water-Bailiff, upon *Delaware* River, and all other navigable Rivers and Creeks within the said Province.

AND in Case the Mayor of the said City for the Time being, shall, during the Time of his Mayoralty, misbehave himself, or misgovern in that Office, I do hereby empower the Recorder, Aldermen and Common-council Men, or *five* of the Aldermen and *nine* of the Common-council Men of the said City of *Philadelphia*, for the Time being, to remove such Mayor from his Office of Mayoralty; and in such Case, or in Case of the Death of the said Mayor for the Time being, that then another fit Person shall, within *four* Days next after such Death or Removal, be chosen in Manner as is above directed for electing of Mayors, in the Place of him so dead or removed.

AND lest there should be a Failure of Justice or Government in the said City, in such Interval, I do hereby appoint, That the eldest Alderman for the Time being, shall take upon him the Office of a Mayor there, and shall exercise the same till another Mayor be chosen as aforesaid; and in Case of the Disability of such eldest Alderman, then the
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next in Seniority, shall take upon him the said Office of Mayor, to exercise the same as aforesaid.

AND in Case the Recorder, or any of the Aldermen or Common-council Men of or belonging to the said City, for the Time being, shall misbehave him or themselves in their respective Offices and Places, they shall be removed and others chosen in their Stead, in Manner following, *that is to say* The Recorder for the Time being, may be removed (for his Misbehaviour) by the Mayor, and *two thirds* of the Aldermen and Common-council Men respectively; and in Case of such Removal or of the Death of the Recorder, then to choose another fit Person skilled in the Law, to be the Recorder there, and so to continue during Pleasure aforesaid.

AND the Alderman so misbehaving himself may be removed by the Mayor, Recorder and *two thirds* of the Aldermen and Common-council Men; and in Case of such Removal or Death, then within *four* Days after, to choose a fit Person or Persons to supply such Vacancies; and the Common-council Men, Constables, and Clerk of the Market, for Misbehaviour, shall be removed and others chosen, as is directed in the Case of Aldermen.

AND I do also, for me and my Successors, by these Presents, grant to the said Mayor and Commonalty, and their Successors, that if any of the Citizens of the said City, shall be hereafter nominated, elected, and chosen to the Office of Mayor, Aldermen and Common-council Men as aforesaid, and having Notice of his or their Election, shall refuse to undertake and execute that Office to which he is so chosen, that then, and so often it shall and may be lawful for the Mayor and Recorder, Aldermen and Common-council Men, or the major Part of the Aldermen and Common-council Men for the Time being, according to their Discretion, to im-

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pose such moderate Fines upon such Refusers, so as the Mayor's Fine exceed not *forty Pounds*, the Alderman's *five and thirty Pounds*, and Common-council Men *twenty Pounds*, and other Officers proportionably, to be levied by Distress and Sale, by Warrant under the common Seal, or by other lawful Ways, to the Use of the said Corporation.

AND in such Cases it shall be lawful to chuse others to supply the Defects of such Refusers, in Manner as is as above directed for Elections.

AND that it shall and may be lawful to and for the Mayor, Recorder, and at least *three* Aldermen for the Time being, from Time to Time, so often as they shall find Occasion, to summon a Common-council of the said City.

AND that no Assembly or Meeting of the said Citizens, shall be deemed or accounted a Common-council, unless the said Mayor and Recorder, and at least *three* of the Aldermen for the Time being, and *nine* of the Common-council Men be present.

AND also that the said Mayor, Recorder, Aldermen and Common-council Men for the Time being, from Time to Time, at their Common-council, shall have Power to admit such and so many Freemen into their Corporation and Society as they shall think fit.

AND to make (and they may make, ordain, constitute and establish) such and so many good and reasonable Laws, Ordinances and Constitutions (not repugnant to the Laws of *England* and this Government) as to the greater Part of them at such Common-council assembled (where the Mayor and Recorder for the Time being, are to be always present) shall seem necessary and convenient for the Government of the said City.

AND the same Laws, Ordinances, Orders and Constitutions so to be made, to put in Use and Execution accordingly, by the proper Officers of the
said

said City; and at their Pleasure to revoke, alter, and make anew, as Occasion shall require.

AND also impose such Mulcts and Amerciaments upon the Breakers of such Laws and Ordinances, as to them in their Discretion shall be thought reasonable; which Mulcts, as also all other Fines and Amerciaments to be set or imposed by Virtue of the Powers granted, shall be levied as above is directed in Case of Fines, to the Use of the said Corporation, without rendering any Account thereof to me, my Heirs and Successors; with Power to the Common-council aforesaid, to mitigate, remit, or release such Fines and Mulcts, upon the Submission of the Parties. *Provided always*, That no Person or Persons hereafter, shall have Right of electing or being elected, by Virtue of these Presents, to any Office or Place judicial or ministerial, nor shall be admitted Freemen of the said City, unless they be free Denizens of this Province, and are of the Age of *twenty-one* Years or upwards, and are Inhabitants of the said City, and have an Estate of Inheritance or Freehold therein, or are worth *fifty Pounds* in Money, or other Stock, and have been resident in the said City for the Space of *two* Years, or shall purchase their Freedom of the Mayor and Commonalty aforesaid.

AND I do further grant to the said Mayor and Commonalty of the City of *Philadelpbia*, that they and their Successors, shall and may for ever hereafter hold and keep within the said City, in every Week of the Year, *two* Market-days, the one upon the *fourth* Day of the Week, and the other upon the *seventh* Day of the Week, in such Place or Places as is, shall, or may be appointed for that Purpose, by the said Commonalty or their Successors, from Time to Time.

AND also *two* Fairs therein every Year, the one of them to begin on the *sixteenth* Day of the *third*

third Month, called *May*, yearly, and so to be held in and about the Market-place, and continue for that Day and *two* Days next following; and the other of the said Fairs to be held in the aforesaid Place on the *sixteenth* Day of the *ninth* Month yearly, and for *two* Days next after.

A N D I do for me, my Heirs and Assigns, by Virtue of the King's Letters Patent, make, erect and constitute the said City of *Philadelphia*, to be a Port or Harbour for discharging and unloading of Goods and Merchandize out of Ships, Boats, and other Vessels; and for landing and shipping them in or upon such and so many Places, Keys and Wharfs there, as by the Mayor, Aldermen, and Common-council of the said City, shall from Time to Time be thought most expedient for the Accommodation and Service of the Officers of the Customs, in the Management of the King's Affairs and Preservation of his Duties, as well as for Conveniency of Trade.

A N D I do ordain and declare, that the said Port or Harbour shall be called the Port of *Philadelphia*, and shall extend and be accounted to extend into all such Creeks, Rivers, and Places within this Province, and shall have so many Wharfs, Keys, Landing-places and Members belonging thereto, for landing and shipping of Goods, as the said Mayor, Aldermen, and Common-council for the Time being, with the Approbation of the chief Officer or Officers of the King's Customs, shall from Time to Time think fit to appoint.

A N D I do also ordain, that the Landing-places now and heretofore used at the *Penny-pot-house* and *Blue-anchor*, saving to all Persons their just and legal Right and Properties in the Lands so to be open; as also the Swamp between *Bud's* Buildings and the *Society-hill*, shall be left open and common for the Use and Service of the said City and all others, with Liberty to dig Docks and make Har-

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hours for Ships and Vessels, in all or any Part of the said Swamp.

AND I do hereby grant, that all the vacant Land within the Bounds and Limits of the said City, shall remain open as a free Common of Pasture, for the Use of the Inhabitants of the said City, until the same shall be gradually taken in, in order to build or improve thereon, and not otherwise: *Provided always*, That nothing herein contained, shall debar me or my Heirs in Time to come, from fencing in all the vacant Lands that lie between the *Center Meeting-house* and the *Skrylkil*, which I intend shall be divided from the Land by me allotted for *Delaware Side*, by a strait Line along the *Broad-street* from *Edward Shippen's Land* through the *Center Square* by *Daniel Pegg's Land*; nor shall the fencing or taking in any of the Streets, happening to be within that Inclosure on *Skrylkil*, be deemed or adjudged to be an Incroachment, where it shall not interfere or stop any of the Streets or Passages leading to any of the Houses built or to be built on that Side, any Thing herein contained to the contrary notwithstanding.

AND I do grant, that this present Charter, shall, in all Courts of Law and Equity, be construed and taken most favourably and beneficially, for the said Corporation.

IN WITNESS whereof, I have hereunto set my Hand, and caused my great Seal to be affixed. Dated at *Philadelphia* the *five and twentieth* Day of *October*, Anno Domini *one Thousand seven Hundred and One*, and in the *thirteenth* Year of the Reign of King *WILLIAM the Third*, over *England*, &c. and the *one and twentieth* Year of my Government.

WILLIAM PENN.

The CHARTER *of* PRIVILEGES
granted by WILLIAM PENN, *Esq;* *to the*
Inhabitants of Pennsylvania *and Territories.*

WILLIAM PENN, Proprietary and Governor of the Province of *Pennsylvania*, and Territories thereunto belonging. To all to whom these Presents shall come, sendeth Greeting. WHEREAS King *CHARLES the Second*, by his Letters Patents, under the Great Seal of *England*, bearing Date the *fourth Day of March*, in the Year *one Thousand six Hundred and Eighty*, was graciously pleased to give and grant unto me, and my Heirs and Assigns for ever, this Province of *Pennsylvania*, with divers great Powers and Jurisdictions for the well Government thereof.

AND WHEREAS the King's dearest Brother, *JAMES Duke of YORK and ALBANY*, &c. by his Deeds of Feoffment, under his Hand and Seal duly perfected, bearing Date the *twenty-fourth Day of August*, *one Thousand six Hundred Eighty and Two*, did grant unto me, my Heirs and Assigns, all that Tract of Land, now called the Territories of *Pennsylvania*, together with Powers and Jurisdictions for the good Government thereof.

AND WHEREAS for the Encouragement of all the Freemen and Planters, that might be concerned in the said Province and Territories, and for the good Government thereof, I the said WILLIAM PENN, in the Year *one Thousand six Hundred Eighty and Three*, for me, my Heirs and Assigns, did grant and confirm unto all the Freemen, Planters and Adventurers therein, divers Liberties, Franchises and Properties, as by the said Grant, entitled, *The FRAME of the Government of the Province of Pennsylvania, and Territories thereunto*
 T 2 *belongin*

belonging, in America, may appear; which Charter or Frame being found in some Parts of it, not so suitable to the present Circumstances of the Inhabitants, was in the third Month; in the Year one Thousand seven Hundred, delivered up to me, by six Parts of seven of the Freeman of this Province and Territories, in general Assembly met, Provision being made in the said Charter, for that End and Purpose.

AND WHEREAS: I was then pleased to promise, That I would restore the said Charter to them again, with necessary Alterations, or in Lieu thereof, give them another, better adapted to answer the present Circumstances and Conditions of the said Inhabitants; which they have now, by their Representatives in general Assembly, met at *Philadelphia*, requested me to grant.

KNOW YE THEREFORE, That for the further Well-being and good Government of the said Province, and Territories; and in Pursuance of the Rights and Powers before-mentioned, I the said *William Penn* do declare, grant and confirm, unto all the Freeman, Planters and Adventurers, and other Inhabitants in this Province and Territories, these following Liberties, Franchises and Privileges, so far as in me lieth, to be held, enjoyed and kept, by the Freeman, Planters and Adventurers, and other Inhabitants of and in the said Province and Territories thereunto annexed, for ever.

F I R S T.

BECAUSE no People can be truly happy, though under the greatest Enjoyment of civil Liberties, if abridged of the Freedom of their Consciences, as to their religious Profession and Worship: And Almighty God being the only Lord of Conscience, Father of Lights and Spirits, and the Author as well as Object of all divine Knowledge,
Faith

Faith and Worship, who only doth enlighten the Minds, and persuade and convince the Understandings of People, I do hereby grant and declare, That no Person or Persons, inhabiting in this Province or Territories, who shall confess and acknowledge *One* Almighty God, the Creator, Upholder and Ruler of the World; and profess him or themselves obliged to live quietly under the civil Government, shall be in any Case molested or prejudiced, in his or their Person or Estate, because of his or their conscientious Persuasion or Practice, nor be compelled to frequent or maintain any religious Worship, Place or Ministry, contrary to his or their Mind, or to do or suffer any other Act or Thing, contrary to their religious Persuasion.

AND that all Persons who also profess to believe in *Jesus Christ*, the Saviour of the World, shall be capable (notwithstanding their other Persuasions and Practices in Point of Conscience and Religion) to serve this Government in any Capacity, both legislatively and executively, he or they solemnly promising, when lawfully required, Allegiance to the King as Sovereign, and Fidelity to the Proprietary and Governor, and taking the Attests as now established by the Law made at *Newcastle* in the Year *one Thousand and seven Hundred*, entitled, *An Act directing the Attests of several Officers and Ministers, as now amended and confirmed by this present Assembly.*

II.

FOR the well governing of this Province and Territories, there shall be an Assembly yearly chosen, by the Freemen thereof, to consist of *four* Persons out of each County, of most Note for Virtue, Wisdom and Ability, (or of a greater Number at any Time, as the Governor and Assembly shall agree) upon the *first* Day of *October* for ever; and shall sit on the *fourteenth* Day of the same

The HISTORY of the

Month, at *Philadelphia*, unless the Governor and Council for the Time being, shall see Cause to appoint another Place within the said Province or Territories: Which Assembly shall have Power to chuse a Speaker and other their Officers; and shall be Judges of the Qualifications and Elections of their own Members; sit upon their own Adjournments; appoint Committees; prepare Bills in order to pass into Laws; impeach Criminals, and redress Grievances; and shall have all other Powers and Privileges of an Assembly, according to the Rights of the free-born Subjects of *England*, and as is usual in any of the King's Plantations in *America*.

AND if any County or Counties, shall refuse or neglect to chuse their respective Representatives as aforesaid, or if chosen, do not meet to serve in Assembly, those who are so chosen and met, shall have the full Power of an Assembly, in as ample Manner as if all the Representatives had been chosen and met, provided they are not less than *two Thirds* of the whole Number that ought to meet.

AND that the Qualifications of Electors and Elected, and all other Matters and Things relating to Elections of Representatives to serve in Assemblies, though not herein particularly expressed, shall be and remain as by a Law of this Government, made at *New-Castle* in the Year *one Thousand seven Hundred*, entitled, *An Act to ascertain the Number of Members of Assembly, and to regulate the Elections*.

III.

THAT the Freemen in each respective County, at the Time and Place of meeting for electing their Representatives to serve in Assembly, may as often as there shall be Occasion, chuse a double Number of Persons to present to the Governor for Sheriffs and Coroners, to serve for *three Years*, if so long they behave themselves well; out of which
 respective

respective Elections and Presentments, the Governor shall nominate and commissionate one for each of the said Offices, the *third* Day after such Presentment, or else the *first* named in such Presentment, for each Office as aforesaid, shall stand and serve in that Office for the Time before respectively limited; and in Case of Death or Default, such Vacancies shall be supplied by the Governor, to serve to the End of the said Term.

PROVIDED ALWAYS, That if the said Freemen, shall at any Time neglect or decline to chuse a Person or Persons for either or both the aforesaid Offices, then and in such Case, the Persons that are or shall be in the respective Offices of Sheriffs or Coroners, at the Time of Election, shall remain therein, until they shall be removed by another Election as aforesaid.

AND that the Justices of the respective Counties, shall or may nominate and present to the Governor *three* Persons, to serve for Clerk of the Peace for the said County, when there is a Vacancy, one of which the Governor shall commissionate, within *ten* Days after such Presentment, or else the *first* nominated, shall serve in the said Office during good Behaviour.

IV.

THAT the Laws of this Government shall be in this Stile, viz. *By the Governor, with the Consent and Approbation of the Freemen in General Assembly met*; and shall be, after Confirmation by the Governor, forthwith recorded in the Rolls-office, and kept at *Philadelphia*, unless the Governor and Assembly shall agree to appoint another Place.

V.

THAT all Criminals shall have the same Privileges of Witnesses and Council as their Prosecutors.

VI.

THAT no Person or Persons shall or may, at any Time hereafter, be obliged to answer any Complaint, Matter or Thing whatsoever, relating to Property, before the Governor and Council, or in any other Place, but in ordinary Course of Justice, unless Appeals thereunto shall be hereafter by Law appointed.

VII.

THAT no Person within this Government, shall be licensed by the Governor to keep an Ordinary, Tavern, or House of publick Entertainment, but such who are first recommended to him, under the Hands of the Justices of the respective Counties, signed in open Court; which Justices are and shall be hereby impowered, to suppress and forbid any Person, keeping such Publick-house as aforesaid, upon their Misbehaviour, on such Penalties as the Law doth or shall direct; and to recommend others from Time to Time, as they shall see Occasion.

VIII.

IF any Person, through Temptation or Melancholy, shall destroy himself, his Estate, real or personal, shall notwithstanding descend to his Wife and Children, or Relations, as if he had died a natural Death; and if any Person shall be destroyed or killed by Casualty or Accident, there shall be no Forfeiture to the Governor by Reason thereof.

AND no Act, Law or Ordinance whatsoever, shall at any Time hereafter, be made or done, to alter, change or diminish the Form or Effect of this Charter, or of any Part or Clause therein, contrary to the true Intent and Meaning thereof, without the Consent of the Governor for the Time being, and *six* Parts of *seven* of the Assembly met.

BUT

BUT because the Happiness of Mankind depends so much upon the enjoying of Liberty of their Consciences as aforesaid, I do hereby solemnly declare, promise and grant, for me, my Heirs and Assigns, that the *first* Article of this Charter relating to Liberty of Conscience, and every Part and Clause therein, according to the true Intent and Meaning thereof, shall be kept and remain without any Alteration, inviolably for ever.

AND LASTLY, I the said *William Penn*, Proprietary and Governor of the Province of *Pennsylvania*, and Territories thereunto belonging, for myself, my Heirs and Assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, That neither I, my Heirs or Assigns, shall procure or do any Thing or Things, whereby the Liberties in this Charter contained and expressed, nor any Part thereof, shall be infringed or broken: And if any Thing shall be procured or done, by any Person or Persons, contrary to these Presents, it shall be held of no Force or Effect.

IN WITNESS whereof, I the said *William Penn*, at *Philadelphia* in *Pennsylvania*, have unto this present Charter of Liberties, set my Hand and broad Seal, this *twenty-eight* Day of *October*, in the Year of our Lord, *one Thousand seven Hundred and One*, being the *thirteenth* Year of the Reign of King *WILLIAM the Third*, over *England, Scotland, France, and Ireland, &c.* and the *twenty-first* Year of my Government.

AND NOTWITHSTANDING the Closure and Test of this present Charter as aforesaid, I think fit to add this following Proviso thereunto, as Part of the same, *That is to say*, That notwithstanding any Clause or Clauses in the above-mentioned Charter, obliging the Province and Territories, to join together in Legislation, I am
 conten t

content, and do hereby declare, That if the Representatives of the Province and Territories shall not hereafter agree to join together in Legislation, and that the same shall be signified unto me, or my Deputy, in open Assembly, or otherwise, from under the Hands and Seals of the Representatives, for the Time being, of the Province and Territories, or the major Part of either of them, at any Time within *three* Years from the Date hereof, that in such Case, the Inhabitants of each of the *three* Counties of this Province, shall not have less than *eight* Persons to represent them in Assembly, for the Province; and the Inhabitants of the Town of *Philadelphia* (when the said Town is incorporated) *two* Persons to represent them in Assembly; and the Inhabitants of each County in the Territories, shall have as many Persons to represent them, in a distinct Assembly for the Territories, as shall be by them requested as aforesaid.

NOTWITHSTANDING which Separation of the Province and Territories, in Respect of Legislation, I do hereby promise, grant and declare, That the Inhabitants of both Province and Territories, shall separately enjoy all other Liberties, Privileges and Benefits, granted jointly to them in this Charter, any Law, Usage, or Custom of this Government heretofore made and practised, or any Law made and passed by this General Assembly, to the contrary hereof notwithstanding.

WILLIAM PENN.

THIS CHARTER of PRIVILEGES
being distinctly read in Assembly, and the whole and every Part thereof, being approved of and agreed to, by us, we do thankfully receive the same from our Proprietary and Governor, at Philadelphia, this twenty-eighth Day of October.

tober, one Thousand seven Hundred and One.
Signed on Behalf, and by Order of the Assembly,
per Joseph Growdon, Speaker,

Edward Skippen,
Phineas Pemberton,
Samuel Carpenter,
Griffith Owen,
Caleb Pusey,
Thomas Story,

} Proprietary and Govern-
nor's Council.

F I N I S.



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