Who Shall Rule in New England

1. The General Court Reports on Massachusetts' Allegiance to the Crown, June 10, 1651


The Court met at the time appointed.

The answers of the committee unto the matters proposed to their consideration by the Honored General Court:

1. Concerning our liberties.
2. Wee conceive the patent (under God) to be the first and maine foundation of our civil polities here, by a Cor-

2. Governor and Company, according as it therein express.
3. The Governor and Company are, by the patent, a body politic, in fact and name.
4. This body politic is vested with power to make freemen.
5. These freemen have power to choose annually a Governor, Deputy Governor, Assemblies, and their select representa-

5. This government hath also to set up all sorts of officers, as well superior as inferior, and point out their power and places.
6. The Governor, Deputy Governor, Assemblies, and select representatives or deputies have full power and authority, both legislative and executive, for the government of all the people herein, whether inhabeants or strangers, both concerning civil actions and in civil, without appeals, excepting laws or laws repugnant to the laws of England.
7. The government is privileged by all living men (yes, and if need be, by force of arms) to defend themselves, both by land and sea, against all such persons or persons as shall at any time attempt or enter into the destruction, invasion, departure, or annoyance of this plantation, or the inhabeants therein, besides other privileges mentioned in the patent, not here men-

2. Wee conceive any imposition unjustly difficult to the country contrary to any just laws of ours, not repugnant to the laws of England, to be an infringement of our right.
3. Concerning our duties of allegiance to our sovereign lord the king.

1. Wee ought to undergo the preservation of his majesties royal person, realm, and dominions, and so farre as lieeth in us, to discover and present all plots and conspiracies against the same.
2. Wee ought to seek the power and prosperity of our king and nation, by a faithfull discharge in the governing of this people committed to our care—
3. By punishing all such crimes (be-

4. In propagating the gospel, defend-

1. By punishing all such crimes (be-

4. This is reason, according to our Christiano Protestant religion according to the faith given by our Lord Christ in his word; our duty sovereign being stiled 'defenders of the faith.'

The premises considered, it may well stand with the bounty and obedience of such subjects as are thus privileged by their rightfull sovereign, for himself, his hatred, and successors for ever, as cause shall require, to please with their prince against all such as shall at any time endeavor the violation of their privileges.

Wee further judge that the warrant and letter from the kings majesty, for the apprehending of Col. Whelbye and Col. Gods, ought to be diligently and faithfully executed by the authority of this country.

And also, that the General Court may doe safely to declare, that, in case (for the future) any falsely abased, and lying from the civil justice of the state of England, shall come over to these parts, they may not have expect shelter.

Ben. 10, 14 May, 1651. By the order and consent of the committee.

THOMAS DAVENPORT,

The Court allows and approves of the returns of the committee.
2. Royal Commissioners Assert the Sovereignty of the King.
April 29, 1664

Private Instructions to
Capt. R. Nicolls, esq.

Instructions to our trusty and well-beloved Capt. Richard Nicolls, by Robert King, Walter, Brute, Capt. Gurt-
wright Eng., and Samuel Mavincle King, Commissary of the English, employed by us to our Plantations in America and about New England to be conveyed and communicated only between themselves.

CHARLES II.

1. Though the main end and drift of your employment is to inform your-
selves, and that of the rest of us, concerning all those several Colonies and by in-
vestigating yourselves by all means and modes, to come to the good opinion of the several people there, that you may give a full observation of the honour and interest both of this court in government and the chief quality out of government and, generally, of the people themselves. And that you, as far as your duty and the disposal of that design to remove their Colonies and to make such alterations as will appear necessary for their own bene-
fit, yet you may inform all men that a great end of your design is the making Long Island, and reducing such people as an easy submission and obedience to the government now vested by our grant and Con-
mission in your brother the Duke of Yorks, and making New Yorke or any other way you shall judge most convenient a settle to be made, a whole settle to our subject, that the Dutch may not any longer increase and employ trade which they have,皱纹ly possessed themselves of; that when you shall have brought it to such a preparation before they, as private

principle and without any authority from their superiors and against the laws of Nations and the good intelligence and alliance between us and their superiors, invaded and have since wrongfully ob-
gained the same, so as to prejudice of our

Crimes and Grievances, and therefore ought in justice to be rescued by us, except we remain forever united to our government and live our store as our good subjects under us; and in that case you shall not then know both by private application and by any public declaration set out by you in our name.—That we will take some notice of, and that we shall continue to enjoy all such possessions (figur signis only excepted) and the same shall be

Very in trade with our other good subjects in those parts. And as you will need the assistance of our other Colonies towards this reduction, so we conceive they will all do their utmost best ready to engage with you herein.

2. This being for the case, and the posse-

bility of that design being also abso-

lute in your own power in case of wind and weather, we leave it en-
tirely to your discretion whether you choose to go upon the sound of Long Island, which seems more reasonable to design in respects of the troops you carry, or

New England, resolving to approve of what you do in that particular, and success see what it will, and if it please God you have the success we hope for upon Long Island, you will have the occasion to prove the consideration of the benefit arrived to all the Colonies, and has not a

very in the removing such neighbourhood from them, at our own cost and charge.

3. You are to use great diligence to

guard in the careful and exact pursuit of the first and second Charters, granted by our Royal Father for the undistur-

bating and settling those plantations, and any other Charters which have been granted to any particular Colonies by our Father and ourself, or the late

obliging powers, to the end that upon the full consideration thereof, and if any difficulty arise upon doubtfull or contradictory expressions, you may, as of

right, by recourse to our Council at Law in some points, and to our Sec-

retary of State in other, receive full and

clear information and directions, and you must be the more concearned and

fully informed of all sustained in the said Charters (of which you ought to carry obediently Conveyed with you) be-

cause the ground and foundation of your employment is the exact observa-

tion of the Charters and reducing it to practice when last received from us. Besides you will thereby observe and decide those clauses in the several Charters which are more particular and essentials and the divesting thereof would be for the public benefit of the plantation; or with other injunctions to you, as for our Colonies or other interests in those regions you would be disposed to, by a general consent and desire. Amongst which we do to be wished that the several Governments should hold the smaller places down five or seven years and that before the council of the last years names should be seen and over, and

placed to that, one of them might be chosen by us for the next Government, which we would as well approve and would be more easily converted to, than the existing the same choice to in-

crease and increase the execution and observation of proper care to preserve the collection of the laws published in those Colonies during the late

obliging Government, or to any other point before or after; to the end that upon examination thereof, you may discern both the indecent expressions and unjust and improper points and denominations in them, which are per-

necary to our dignity and to the laws

and customs of this realm, and to the justice thereof, which all they have obliged themselves to consider and re-
pay you if the same be not already done, you are in the first place to come to the be done, especially particularly and not with any other General Council in the taking, and the adminis-

tration of justice be performed in our

name.

Since the great and peaceable ends

of all those who first engaged them-

selves in those Plantations in which they have spent much time and money, for the

ery of justice, and the same is

expressly provided for in the first and subsequent Charters you could yet do

be done, and the observation and preservation thereof is our very hearty purpose and determination: You are to keep very carefully among yourselves and with all persons who have any relation to, or dependents upon any of you, that nothing be said or done, from or by which the people might or might think that there is any purpose or design to make any alteration in the Church Government or to introduce any other forms of worship among them than what they have chosen all our exemp-

tation in that particular being that duty in true duty that liberty of con-

science in such others, which it equally prevailed for and granted, every one of them by their country; all which you shall find we have wrote at large taken notice of in our letter of the 9th June last, a copy whereof is delivered to you, and of which you shall be in due ses-

on, and when you are well acquainted with them, extremely take notice, and use the execution and observation of the same, according to the Charter. And

may not give you any unmerge or privy to do in matters of religion, as if you were at least equal to forms among them. You shall make well to frequent their churches and to be present at their devotion, though you be anyone and think it very fit that you carry with you some learned
and charge Chaplains, orthodox in his judgement and practice, who in your own families will make the Books of Common Prayer and performance your devotions, in every family, established in the Church of England, excepting only in wearing the wrappings on having never seen his seen in those countries, may conveniently be seen. The young men, in every family, is, by all good usages, to walk with the assistance of the different judgements and practice in all things, be that which concern the peace and prosperity of those people and their joint submission and obedience to us and others.

6. Since it is very observable that there are not only very great factions and divisions in one Colony against the other, but in one and the same Colony between persons of different opinions in religion, so that it is very probable all discontents may be, if it be thought fit, if you according to their several humors may interpose, and be made to favor your own. But to be very true in your conversation, that being men in persons equal to determine controversies amongst them, you may not be thought to encroach on a party, or to be yourselves engag’d in their passions and pleasures, and you must principally regard those two sorts of people (till upon the several informations you shall receive, and by your own observation in the experience you can make such judgement of their discontents or disaffections, or allow that ye have pretense to have a great prejudice against the issue of Religion, and there present a case as great a case for the establishing the Books of Common Prayer, and it is my desire to the Episcopalians itself, and the whole body of the Church of England.

The second is, they who will appear to advance your profit and to work a present estate in the Governor; which they will suppose may bee looked upon as such an unquestionable instance of their affection to us and our service, that will give them credit and advantages in all their pretensions.

To the first of these, after you have used them with kindness and encouragement, as het present when they please at your private diversions, you shall let them know that you have not, and in the present Governor and Counsell, and promote them your utmost skill, and you then shall lose them of all the thing for their case which will not evidently disturb the peace of the country.

To the second sort of people which God Almighty can confer upon us in this world that He would all our subjects in all our dominions to one faith and one way of worship with us; yet we could not imagine it probable that a considerable number of persons, who separated themselves from their own country and the religion established, principally (if not only) that they might enjoy another way of worship, pretend or declared unto them by theirs some consolations, could in due short a time be willing to return to that form of service they had forsaken; and therefore that you have not been free from giving you any direction to promote or circumstance any alterations in the religion practised there, that you have express ord in the contrary. But if they only induced upon the liberty granted them by their Charter, and that they would provide properly for the exercise of their religion in the form they best liked, without provoking or reproaching those whom they disperse from them, and only desire that this liberty of conscience might produce no prejudice to them in their civil interest and relations to the Government—You may less them know that it is no more than what we have already recommended to the Governor and Council by our former letters, and wherein you will do them all the offices within your power. But even in this point we conceive

you should proceed very warily and not enter upon it, till you have made some progress in your least difficult branches, and indeed you should rather ad

dress those of these who are more proper and without offence, to get men of the best reputation and most possibly inclined, to be chosen into that Assembly, and then according to the interest and credit you have, to give them all advice and encouragement to promote our service, and then you shall lose them of all the great affection we have for them, and that we look upon them with the same fatherly care as if they lived in the centre of our dominions. You shall shew them the copy of the letter and address made to us by the Governor and Council after our happy return into England, and of our answer to that Address, as likewise what we have now sent to the Governor and Council there; all which were directed to you to communicate, to the end that we may receive their advice and information how we may advance the happiness of that our people. And in order hereunto you are ready to confer with them upon all particular matters relating to your negotiation or to the end thereof, and you are to behave yourselves towards them as you find them most conciliatory to the end of your employment.

8. Besides the general disposing that people in an entire submission and obedience to our government which is their own present security in respect of other neighbours and leading them to a desire to renew their Charters, which in many respects ought to be disdained by them; there are two points we could hardly wish should be gained upon them.

The first that we may have (as we expressed before) the commission of the Government, or approbation.

The other, that the Magistrates should be put under an officer nominated or recommended by us; and it may be, if they will consider their Charter, they will not find that they have in truth, the


5. Massachusetts Rejects the Jurisdiction of English Laws, September 30, 1786

A short narrative touching the delivery of your Majesties letters to the Majesties troops in New England, by Edward Randolph.

May it please your Majesties,
Having received your Majesties letters for the governor and magistrates of your Majesties town of Boston in N.E. dated 16th of March last, with my particular instructions from the right hon. secretary Coventry, upon the 9th of the said month I arrived from the Douane. After a tedious passage of 10 weeks arrived at Boston on 1st June. At my landing I went immediately to the governor John Leverett, and showed him your Majesties passes and acquainted him with the cause of my coming, and that I had brought a letter from his Majesties unto the magistrates of that colony, and did therefore desire him that, with what convenience speed might be, the magistrates might be assembled to hear your Majesties letters read. The governor answered, that the council was to meet that afternoon, upon other business, and that I should be sent for; as I was, by the messenger of their order, where being questioned and admitted into the council, I delivered your Majesties letters to the governor, their being the act of the magistrates and their secretary summoned with him, and there being a chair placed purposely for me, I was desired by the governor to sit down.

The day after, I went to visit the governor at his house, and among other things discovered I told him I took notice of several ships that were arrived at Boston, none since my being there, from Spain, France, Southwark, Canaries and other parts of Europe contrary to your Majesties laws for encouraging navigation, and regulating the trade of the plantations. He freely declared to me that the laws made by your Majesties and your parliament ought, inasmuch as nothing but what concerns with the duties of that colony, that are legislative in power and in being, in their absolute and mixed towns by, virtue of a charter from your Majesties parliament, and that all matters in difference not to be concluded by their final determination, without any appeal to your Majesties, and that your Majesties might wish to restrain their liberties, how ever large they be if your Majesties pleasure, and said, your Majesties had confirmed all their privileges by your Majesties letter of the 23rd of June, 1654; and that your Majesties could do no less in reason than let them enjoy their liberties and trade, they having upon their own charter and without any contribution from the crown made so large plantation in the wilderness, and that during the Dutch wars your Majesties sent ammunition to New-York for that place, but said them they must shift for themselves and make the best defence they could, and that notwithstanding the colony had many squaws, yet they did believe your Majesties to be detest very good old school, for that your Majesties had by several letters expressed your kindness to them.

About the beginning of July, I went into the province of New-Hampshire, belonging to Mr. Mason, but now divided by the Connecticut into three counties, and by themcalled Norfolk, Suffolk and Middlesex. And travelled through several of the most considerable towns, acquainting the inhabitants with the occasion of my coming into the country, and read Mr. Mason's letters unto them, which gave them great satisfaction, the whole country complaining of the depression and usurpation of the magistrates of Boston, imposing subsidies upon them, not admitting them to the sacrament of the Lord's Supper, depriving baptisms to their children, and libel- ing of choosing their own magistrates and officers because they were not members of their congregations. And as a further mark of their power and sovereignty over them they send twice a year magistrates from Boston to keep order for trying of causes, and that they lay at pleasure what impositions, fines and taxes they think fit upon their estates, persons and trade, contrary to the laws of England, and that they have been for a long time constantly expecting to be delivered from the government of the Massachusetts Bay, and that humbly hope your Majesties will use your present power, by your Majesties commissioners in 1654, who were then in that province, and declared them not to be under the government of Boston.
4. The General Court Writes Its Own Navigation Act

A. THE MASSACHUSETTS DRAFT A BILL REQUIRING THE AUTHORITY OF PARLIAMENT, FEBRUARY 24, 1651

For the regulation of the navigation and trade of this Colony According to the Acts of Parliament referred to and particularly those of the 16. 17. and 18. of his majesty, and in pursuance of an order of this jurisdiction made on the 25th of November last this Court does order and enact that the aforesaid acts of Parliament and the aforesaid order be forthwith published in the exchange of Boston by several printers and further that the order of this Court made in 1670 prohibiting trade with any vessel till they Come under command of our Governor or officers hereafter named upon the penal of the forfeiture of all such goods so traded be in the like manner published and the posts allowed for delivery shall be Boston to which is named Charlestown Salem to which is named Marblehead Newbury to which is annexed Ipswich Newburyport which is annexed Ipswich Ipswich to which is annexed Tewksbury and is hereby further Ordered that all ships and vessels arriving in any of the said ports shall before their ballast be made ready with the Governor of the said ports. The Governor shall or persons lawfully directed by him exert the authority of Parliament with respect to ships and vessels outward bound shall be in a manner waived what in the said Acts of Parliament is required of them by giving in bond to deliver their Loading in ports as directed by the said Acts of Parliament and receive those charges from the said Governor or his order. And the Governor is hereby ordered and directed in every of the said respective parts of this jurisdiction to Appoint and Constuite under his hand and seal one able and sufficient persons to discharge and perform the said trust who may receive such fees for entering into civilities to the said Acts of Parliament do allow and no other person shall assume or execute the said office but as above said it is further ordered that the Governor or officers in the several places above named shall keep fair books of all enter civilities done etc which shall be always liable to the review of any officers or any other that may inform of the breach of any of the said Acts of Parliament or of our laws in pursuance thereof or referring to the Trade of this jurisdiction. And for the better direction of measures and measures that may not so fully understand these acts of trade this Court does desire Mr. Ellis Cooke and Capt. Ellis Hinchliffe to make a true abstraction of all the citizens relating to the places mentioned in those acts and the same to be forthwith printed.

The magistrates have given this their brethren the Deputies hereon Consenting.

EDWARD RAND OLNEY

The Deputies Consent not however.

WILLIAM ROBBINS DRAYTON

B. THE HOUSE OF DEPUTIES DRAFTS PARLIAMENT’S AUTHORITY, FEBRUARY 25, 1653

This Court having Considered the State of the Common Peace of this Colony and that good treatment to the trade and navigation doe order and Enact that no Commodity shall be Exported into or Exported out of this Colony to any other ship or vessel whatsoever but such as do truly belong only to the people of England Ireland and the Dominion of Wales or Towne of Berwick upon Tweed or of the Isles and belonging to some of his almighty power’s plannations in Asia Africa or America and whereas the Master and crew of the four fourths of the Mariner at least are English under the penalty of the forfeiture and loss of all the goods and Commodity that shall be imported into or Exported out of this Colony in any other ship or vessel as also of the ship or vessel with all its guns furniture tools Ammunition and Apparel one third part to the Majesty his Heirs and Successors one third part to the Governor and Company and the other third part to him or them when shall informe him or her the same.

It is also Ordered that no Allen or persons not born within the Commonwealth of our Sovereign Lord the King or Naturalized or made by a decree of Parliament shall Import or export a Merchandize or factor in this Colony upon paine of the forfeiture and loss of all his goods and Chattels or that are in his possession until third part to the Majesty one third part to the Governor and Company and the other third to him or them when shall informe him or her the same.

It is also Ordered that no Commodity of the good production or Manufacture of Europe shall be Impressive into this Colony but what shall be bine line and without fraud Label and Shipped in
The glorious revolution in America

Land, Nor to any goods taken by way of Restraint by virtue of Commission or Authority Derived from his Majesty his Heirs or Successors.

And it is hereby Ordered that this Court shall from time to time appoint more persons in our several Towns, viz. Boston, Salem, and Newbury, where shall have Commission from the Governor under the seal of the Colony, and be answerable to the faithful discharge of his trust. And that they and only they, take Inventory of all such ships and vessels, Receipt and grant Certificates to all such Masters and Commanders; which said Certificates shall keep in their hands for such ships and vessels, as shall be always liable to the view of any officer or other persons that may informe of the breach of any Law Relating to Trade, and that said officers once every six Months doe transmit fair Copies of all Exports Certificates etc. and deliver the same to the Governor for the time being, for which service said officers shall take to themselves such fees, from said Master or Commissioners, both for Writing and Transcribing, as Clarke and Recorders are by Law allowed.

And it shall be in the property of any Informer or other person whatsoever by Warrant from the Governor or any Majestative or the Officer that is directed to Receive Exports for the time being to search and seize any such Ships, vessels, or goods as shall be brought into this Colony contrary to Law, the said Informer or other persons first giving sufficient security to Respond all Costs and damages that shall arise, by his wrongful act or committing or defacing any such ships or goods.

The deputies have passed this desiring the Congress of the Honored Majesties herto. Feb. 25th 1689

William Poyser Esq.

Not consented to by the magistrate

Edward Randolph Secretary

5. Massachusetts Refuses to Surrender its Charter for Revision

A. Samuel Nowell to John Richards, March 28, 1694

Capt. Richards, Honored Sir,—I received yours and am greatly indebted to you for that and all your former kind notes to my selfe, which I know not how to requite but by my poor prayers, in which way (the poor mire be worth little) I purchase my wife as deeply indebted to your selfe as to any man. I am heartily sorry for that unavoidable excurse which the only wise God hath been pleased to cause out for you, it being not possible to please the country and the Court too. We have been together since the 7th of Feb. last, this season being yet much unlike the time we spent two years agoe. God is pleased to hide from us the right methods of unity and agreement, and indeed the matter is so weighly about yielding or denying appeals, this hath taken up the most of our time, and what we shall come to in its conclusion will be unto you. I have little expectation that all we can or shall do will put a stop to a Quo Warranto; for life we do not give you power, it will go on; if we do give you the power required, and you do not make use of it to our prejudice, the Quo Warranto will still go on; but if you do make use of the power to answer demands, we do then pull down the house ourselves, which is worse than to be passive only. By your Pleading we have full and absolute power to rule.
and govern, pardon and punish, etc.; by which always hitherto we have judged ourselves free from appeals; and either we may finally judge of and determine all things, or else appeals by in all cases, which will make the Government here to be a mere cypher, more communicable than any other Government in all the Plantations, in regard we are under an ill aspect; hence every pragmatick prince will refuse to submit to the judgment of our courts, hoping for relief to England, or by some commissioners here, to which our Governors must be subordinate: the case in 1654. For example, Rob. Orchard, being strained upon for two power platters, prefers a complaint against us at Whitehall, and it is taken notice of, as I suppose you will be particularly advised more about it. That, and Mason’s case, by which we fear the greatest part of the country will be disposed off to Mr Mason, makes us afraid of appeals. The grant of the

B. INCREASE MATHER’S ARGUMENT, 1683

In the latter end of this year, that came to pass, which occasioned so small Trouble and Temptation to me. For there arrived a vessel which brought the Kings declamation, wherein he signified to the Country that except they would make a full submission and exact Resignation to his pleasure, a quo warranto should be proceeded against their Charter. Some desired me to deliver my apprehensions on the Question whether the Country could without sin against God make such a Resignation as was proposed to them. Several papers were brought to me some that came out of England or Holland others wrote in New England which argued for the Negative. I put those arguments into Form and added some more of my own, and then communicated them to some of the Magistrates, who so well approved of them as to disperse copies thereof, that they came into many hands, and were a means to keep the Country from complying with that Proposal. The other party conjectured me to be the author of that Plan and were not a little displeased therewith. Nevertheless, I believe it was a good work, and I hope acceptable to the Lord.

Also on January 23, The Freeman of Boston met to consider what they should do. The deputies of Boston and several others requested me to be present and to give my thoughts as to the case of conscience before them. In the Townhouse I made a short speech to the Freeman in these words, "As the Question is now stated, viz., whether you will make a full submission and co-
tire Resignation of your Charter and
privileges of it, to his Majesties' pleas-
ure) were shall sin against God. Let
we vote an Affirmative to it. The scripture
teacheth us otherwise. We know that
jeophathah said, Tho which the Lord saith
God has given us, shall not we possess?
And Nelson, tho he ran a great hazard
by the refusal, yet said, God forbidd that
I should give away the Inheritance of
my Fathers. Now would it be wisdom
for us to comply. We know that David
made a wise choice, when He chose to
fall into the hands of God rather than
into the hands of men. If we make a
full submission and entire Resignation
to pleasure, we fall into the hands of
men immediately. But if we do it not,
we keep ourselves still in the hands of
God, and Trust ourselves with his provi-
dence and who knoweth what God may
do for us? Moreover, there are examples
before our eyes, the consideration
whereof should be of weight with us.

Our brethren hard by, what have they
-gained by their readiness to submit and
-comply, who if they had stood by their
-liberties longer would not have sin
-miserable so soon. And we hear from
London, that when it came to they
-would not make a full submission and
-entire Resignation to pleasure, lest haply
-their posterity should curse them. And
-shall we do it then? I hope there is not
one Freeman in Boston that will dare
to be guilty of so great a sin. However,
-I have discharged my conscience in thus
delivering my advice to you."

Upon this speech many of the Free-
men wereg, and they said generally, we
-thank you Sir for this instruction and
-encouragement. The Question being put
to vote was carried in the Negative
Neminem Contracladice. This Act of Bos-
ton had a great Influence on the Coun-
try, many other Towns following this
example.

6. The Grounds for Revoking the Colonial Charter, June 4, 1683

[Trapp and Goodrich, eds., Randolph Letters, LIV, 175–180]

1. They have erected a Publick mint
in Boston and Colone money with their
Own Imprese.

2. They impose upon the Conseyenes
of his Majesties Subjects in matters of
Religion by their Lawes Ecclesiasticall
being repugnant to the Lawes of Eng-
land.

3. They refuse appeals to his Majesties
in Councill in matters relating to the
Crown.

4. They impose Dutyes and Customs
upon goods imported their Colony by
his Majesties Subjects from England
where those goods have paid all his
Majesties duties.

5. They levy what Rates and taxes
they please upon his Majesties Subjects
inhabiting their Colony alioho not free
of their Company.
16. They have not yet suffered his Majesty's letters Patent to be publicly read in their Courts at seven of o'Clock of Causes relating to his Majesty's Customs.

17. They have not observed the Act for preventing frauds made in the 14th of the King nor the Act for better securing the Plantation trade made in the 15th, of the King to be the Laws of their Colony.
the consequences of rebellion

21. The Massachusetts Charter of 1620

[Thompson, Federal and State Constitutions, III, 429-430]

And Wm. doe further for Us Our Helens and Successors Will Establish and Order that this Assistance be for ever so appointed as to be from time to time apponted and Commissioned by Us Our Helens and Successors and Eight and Twenty Assistants or Councillors to be advising and asking for the Governor of Our said Province or Territory for the time being as by these premises is heretofore divided and apponted which said Councillors or Assistants are to be Consist of Eighteen and Eighteen in such force and number as heretofore in these premises is expressed, . . . And further Wm. Will and by these premises for Us Our Helens and Successors doe ordain and Grant that there shall and may be convened held and kept by the Governor for the time being upon every last Wednesday in the Month of May, every year for every and all the other times as the Governor of Our said Province shall think fit and appont a grant and General Court of Assembly Which said Grant and General Court of Assembly Shall consist of the Gover- nor and Council or Assistants for the time being and of such Freeholders as Our said Province or Territory shall be from time to time elected and apponted by the Major part of the People and other Inhabitants of the respective Townes and Plants who shall be principal at such Elections, Each of the said Townes and Plants shall choose one person to Elect and Depose Two Persons and one more in array for and represent them respectively in the said Grant and General Court or Assembly. To which Grant and General Court or Assembly to be held as aforesaid Wm. Doe hereby for Us Our Helens and Successors gives and grant full power and authority from time to time to direct appont and declare what Number each County Townes and Plants shall Elect and Depose to serve, and represent them respectively in the said Grant and General Court or Assembly. Provided always that no Freeholder or other Person shall have a Vote in the Election of Members to serve in any Grant and General Court or Assembly to be held as aforesaid who at the time of such Election shall not have an estate of Fre- hold in Land within Our said Province or Territory in the value of Forty Shil- lions per Annum at the least or other extent in the value of Forty pounds per Annum. And that every Person to whom such Com- mission shall be given or Acted on the said Grant and General Court or Assembly shall and is hereby Authorized to interest and take the Oath of Allegiance and Supremacy and to appont and appoint other Oaths and whereby apponted to be taken instead of the Oath of Allegiance and Supremacy and shall takeRepeat and Subscribe the Declaration mentioned in the said Act before the Governor and Lieutenant in Deputy Governor or any two of the Assistants for the time being who shall be there- unto authorized and Appointed by Our said Governor and that the Governor for the time being shall have full power and Authority from time to time as he shall Judge necessary to Enforce and Interprete and Discharge all Laws and Ordinances of the said Grant and General Court or Assembly as they shall be passed and enacted and to alter and amend or annul or rescind the same at their discretion and pleasure and Wm. Doe hereby for Us Our Helens and Successors Great Estab- lishment and Ordinance that yearly in every year for ever hereafter the aforesaid Number of Eight and Twenty Councillors or Assistants shall be by the Governor or General Court or Assembly newly chosen that it is any Eighteen at least of the Inhabitants or of Proprietors of Lands within the Territory formerly called the Colony of Massachusetts Bay and four at the least of the Inhabitants or of Proprietors of Lands within the Territory formerly called New Plymouth and three at the least of the Inhabitants of or Proprietors of Lands within the Territory Intendedly called the Province of Maine and one at the least of the In- habitants of or Proprietors of Land within the Territory lying between the River of Sagadelob and Nova Scotia
and that the said Councillors or Assem-
blies or any of them shall or may at any
time hereafter be removed from the said United
States by their respective Offices or Trust of
Governor and Council or General Court or
Assembly And that if we the said Councillors or
Assemblies shall happen to die or be removed
at shortest, the General Court of the said State
of New York or Assembly or General Court, or
Assembly or its successors, shall have the power
and authority to fill such vacancies by appointing
a new person or persons to fill the same,
Provided always that no such Nomina-
tion or Appointment of Officers be
made without notice first given or notice
being given at least seven days before such Nomination and Appointment upon
such of the said Councillors or Assem-
lies as shall be in their respective Offices at
the time of such Nomination or Appointment.

And we do further for our said
Heirs and Successors Give and Grant to the said
Governor and the General Court or Assembly
or General Court or Assembly or the said
Governor and Council or Assembly or the said
Governor and Council or Assembly of the said
state of New York or Assembly or General Court or Assembly or any part or portion of the
same or thereof shall be hereafter committed
by any person or persons to the discretion of
the said Governor and Council or Assembly or
Assembly or any of its successors, shall have
the power and authority to fill such vacancies
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