

THE CHARTER

OF

THE COLONY OF MASSACHUSETTS BAY.

1628.

CHARLES, BY THE GRACE OF GOD, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To all to whom these presents shall come, Greeting. *Whereas*, our most dear and royal father, king James, of blessed memory, by his Highness letters-patent bearing date at Westminster, the third day of November, in the eighteenth year of his reign, hath given and granted unto the Council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing of New England in America, and to their successors and assigns for ever, all that part of America, lying and being in breadth, from forty degrees of northerly latitude from the equinoctial line, to forty-eight degrees of the said northerly latitude inclusively, and in length, of and within all the breadth aforesaid, throughout the main lands from sea to sea; together also with all the firm lands, soils, grounds, havens, ports, rivers, waters, fishing, mines, and minerals, as well royal mines of gold and silver, as other mines and minerals, precious stones, quarries, and all and singular other commodities, jurisdictions, royalties, privileges, franchises, and preeminences, both within the said tract of land upon the main, and also within the islands and seas adjoining: *Provided* always, That the said islands, or any the premises by the said letters-patent intended and meant to be granted, were not then actually possessed or inhabited by any other christian prince or state, nor within the bounds, limits, or territories of the southern colony, then before granted by our said dear Father, to be planted by divers of his loving subjects in the south parts. To have and to hold, possess and enjoy all and singular the aforesaid continent, lands, territories, islands, hereditaments, and precincts, seas, waters, fishings, with all, and all manner their commodities, royalties, liberties, preeminences, and profits that should from thenceforth

arise from thence, with all and singular their appurtenances, and every part and parcel thereof, unto the said council and their successors and assigns for ever, to the sole and proper use, benefit, and behoof of them the said council, and their successors and assigns for ever : To be holden of our said most dear and royal father, his heirs and successors, as of his manor of East-Greenwich in the county of Kent, in free and common soccage, and not in capite nor by knight's service : Yielding and paying therefor to the said late king, his heirs and successors, the fifth part of the ore of gold and silver, which should from time to time, and at all times then after happen to be found, gotten, had, and obtained in, at, or within any of the said lands, limits, territories, and precincts, or in or within any part or parcel thereof, for or in respect of all and all manner of duties, demands and services whatsoever, to be done, made, or paid to our said dear father the late king, his heirs and successors, as in and by the said letters-patent (amongst sundry other clauses, powers, privileges, and grants therein contained,) more at large appeareth. And whereas, the said council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing of New England in America, have by their deed indented, under their common seal, bearing date the nineteenth day of March last past, in the third year of our reign, given, granted, bargained, sold, enfeoffed, aliened, and confirmed to Sir Henry Rosewell, Sir John Young, Knights, Thomas Southcott, John Humphrey, John Endecott, and Simon Whetcombe, their heirs and assigns, and their associates for ever, all that part of New England in America aforesaid, which lies and extends between a great river there, commonly called Monomack, alias Merrimack, and a certain other river there, called Charles river, being in the bottom of a certain bay there, commonly called Massachusetts, alias Mattachusetts, alias Massatusetts bay, and also all and singular those lands and hereditaments whatsoever, lying within the space of three English miles on the south part of the said Charles river, or of any, or every part thereof; and also all and singular the lands and hereditaments whatsoever, lying and being within the space of three English miles to the southward of the southernmost part of the said bay called Massachusetts, alias Mattachusetts, alias Massatusetts bay; and also all those lands and hereditaments whatsoever, which lie, and be within the space of three English miles to the northward of the said river called Monomack, alias Merrimack, or to the northward of any and every part thereof, and all lands and hereditaments whatsoever, lying within the limits aforesaid, north and south in latitude and breadth, and in length and longitude, of and within all the breadth aforesaid, throughout the main lands there, from the Atlantic and western sea and ocean on the east part, to the south sea on the west

part; and all lands and grounds, place and places, soils, woods and wood grounds, havens, ports, rivers, waters, fishings, and hereditaments whatsoever, lying within the said bounds and limits, and every part and parcel thereof; and also all islands lying in America aforesaid, in the said seas or either of them on the western or eastern coasts or parts of the said tracts of land, by the said indenture mentioned to be given, granted, bargained, sold, enfeoffed, aliened, and confirmed, or any of them; and also all mines and minerals, as well royal mines of gold and silver, as other mines and minerals whatsoever, in the said lands and premises, or any part thereof; and all jurisdictions, rights, royalties, liberties, freedoms, immunities, privileges, franchises, preeminences, and commodities whatsoever, which they, the said council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing of New England in America, then had, or might use, exercise, or enjoy, in or within the said lands and premises by the said indenture mentioned to be given, granted, bargained, sold, enfeoffed, and confirmed, or in, or within any part or parcel thereof: To have and to hold, the said part of New England in America, which lies and extends and is abutted as aforesaid, and every part and parcel thereof; and all the said islands, rivers, ports, havens, waters, fishings, mines, minerals, jurisdictions, franchises, royalties, liberties, privileges, commodities, hereditaments, and premises whatsoever, with the appurtenances unto the said Sir Henry Rosewell, Sir John Younger, Thomas Southcott, John Humfrey, John Endecott, and Simon Whetcombe, their heirs and assigns, and their associates, to the only proper and absolute use and behoof of the said Sir Henry Rosewell, Sir John Younger, Thomas Southcott, John Humfrey, John Endecott, and Simon Whetcombe, their heirs and assigns, and their associates for ever more; To be holden of us, our heirs and successors, as of our manor of East-Greenwich, in the county of Kent, in free and common soccage, and not in capite, nor by knight's service; Yielding and paying therefor unto us, our heirs and successors, the fifth part of the ore of gold and silver, which shall from time to time, and at all times hereafter, happen to be found, gotten, had, and obtained in any of the said lands, within the said limits, or in or within any part thereof, for, and in satisfaction of all manner duties, demands, and services whatsoever to be done, made, or paid to us, our heirs or successors, as in and by the said recited indenture more at large may appear. Now know ye, that we, at the humble suit and petition of the said Sir Henry Rosewell, Sir John Younger, Thomas Southcott, John Humfrey, John Endecott, and Simon Whetcombe, and of others whom they have associated unto them, Have, for divers good causes and considerations, us moving, granted and confirmed, and by these presents of our especial

grace, certain knowledge, and mere motion, do grant and confirm unto the said Sir Henry Rosewell, Sir John Younger, Thomas Southcott, John Humfrey, John Endecott, and Simon Whetcombe, and to their associates hereafter named; (videlicet) Sir Richard Saltonstall, Knight, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heirs and assigns, all the said part of New England in America, lying and extending between the bounds and limits in the said recited indenture expressed, and all lands and grounds, place and places, soils, woods and wood grounds, havens, ports, rivers, waters, mines, minerals, jurisdictions, rights, royalties, liberties, freedoms, immunities, privileges, franchises, preeminences, hereditaments, and commodities whatsoever, to them the said Sir Henry Rosewell, Sir John Younger, Thomas Southcott, John Humfrey, John Endecott, and Simon Whetcombe, their heirs and assigns, and to their associates, by the said recited indenture, given, granted, bargained, sold, enfeoffed, aliened, and confirmed, or mentioned, or intended thereby to be given, granted, bargained, sold, enfeoffed, aliened, and confirmed: To have and to hold, the said part of New England in America, and other the premises hereby mentioned to be granted and confirmed, and every part and parcel thereof with the appurtenances, to the said Sir Henry Rosewell, Sir John Younger, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, William Vassall, William Pinchion, and George Foxcroft, their heirs and assigns for ever, to their only proper, and absolute use and behoof for evermore; To be holden of us, our heirs and successors, as of our manor of East-Greenwich aforesaid, in free and common socage, and not in capite, nor by knight's service; And also yielding and paying therefor to us, our heirs and successors, the fifth part only of all ore of gold and silver, which from time to time, and at all times hereafter shall be there gotten, had, or obtained, for all services, exactions and demands whatsoever, according to the tenure and reservation in the said recited indenture expressed. And further, know ye, that of our more especial grace, certain knowledge, and mere motion, We have given and granted, and by these presents, do for us, our heirs and successors, give and grant unto the said Sir Henry Rosewell, Sir John Younger,

Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradoek, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heirs and assigns, all that part of New-England in America, which lies and extends between a great river there, commonly called Monomack river, alias Merrimack river, and a certain other river there, called Charles river, being in the bottom of a certain bay there, commonly called Massachusetts, alias Mattachusetts, alias Massatusetts Bay; and also all and singular those lands and hereditaments whatsoever, lying within the space of three English miles on the south part of the said river, called Charles river, or of any or every part thereof; and also all and singular the lands and hereditaments whatsoever, lying and being within the space of three English miles to the southward of the southernmost part of the said bay, called Massachusetts, alias Mattachusetts, alias Massatusetts Bay: and also all those lands and hereditaments whatsoever, which lie and be within the space of three English miles to the northward of the said river, called Monomack, alias Merrimack, or to the northward of any and every part thereof, and all lands and hereditaments whatsoever, lying within the limits aforesaid, north and south in latitude and breadth, and in length and longitude, of and within all the breadth aforesaid, throughout the main lands there, from the Atlantic and western sea and ocean on the east part, to the south sea on the west part; and all lands and grounds, place and places, soils, woods, and wood-grounds, havens, ports, rivers, waters, and hereditaments whatsoever, lying within the said bounds and limits, and every part and parcel thereof; and also all islands in America aforesaid, in the said seas, or either of them, on the western or eastern coasts, or parts of the said tract of lands hereby mentioned to be given and granted, or any of them; and all mines and minerals, as well royal mines of gold and silver as other mines and minerals whatsoever, in the said lands or premises, or any part thereof, and free liberty of fishing in or within any the rivers or waters within the bounds and limits aforesaid, and the seas thereunto adjoining; and all fishes, royal fishes, whales, balan, sturgeons, and other fishes of what kind or nature soever, that shall at any time hereafter be taken in or within the said seas or waters, or any of them, by the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradoek, George Harwood, Increase Nowell, Ri-

chard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heirs or assigns, or by any other person or persons whatsoever there inhabiting by them, or any of them, to be appointed to fish therein. Provided always, That if the said lands, islands, or any other the premises herein before mentioned, and by these presents intended and meant to be granted, were at the time of the granting of the said former letters-patent, dated the third day of November, in the eighteenth year of our said dear father's reign aforesaid, actually possessed or inhabited by any other christian prince or state, or were within the bounds, limits or territories of that southern colony, then before granted by our said late father, to be planted by divers of his loving subjects in the south parts of America, That then this present grant shall not extend to any such parts or parcels thereof, so formerly inhabited, or lying within the bounds of the southern plantation as aforesaid, but as to those parts or parcels so possessed or inhabited by such christian prince or state, or being within the bounds aforesaid shall be utterly void, these presents or any thing therein contained to the contrary notwithstanding. To have and to hold, possess and enjoy the said parts of New-England in America, which lie, extend, and are abutted as aforesaid, and every part or parcel thereof; and all the islands, rivers, ports, havens, waters, fishings, fishes, mines, minerals, jurisdictions, franchises, royalties, liberties, privileges, commodities, and premises whatsoever, with the appurtenances, unto the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heirs and assigns for ever, to the only proper and absolute use and behoof of the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams. John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heirs and assigns for evermore: To be holden of us, our heirs and successors, as of our manor of East-Greenwich, in our county of Kent, within our realm of England, in free and common soccage,

and not in capite, nor by knight's service ; and also yielding and paying therefor to us, our heirs and successors, the fifth part only of all ore of gold and silver, which from time to time, and at all times hereafter, shall be there gotten, had, or obtained, for all services, exactions, and demands whatsoever ; Provided always, and our express will and meaning is, that only one fifth part of the gold and silver ore above mentioned, in the whole, and no more be reserved or payable unto us, our heirs and successors, by colour or virtue of these presents, the double reservations or rentals aforesaid, or any thing herein contained notwithstanding. And forasmuch, as the good and prosperous success of the plantation of the said parts of New England aforesaid intended by the said Sir Henry Rosewell, Sir John Young, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, to be speedily set upon, cannot but chiefly depend, next under the blessing of Almighty God, and the support of our royal authority upon the good government of the same, To the end that the affairs and businesses which from time to time shall happen and arise concerning the said lands, and the plantation of the same may be the better managed and ordered, We have further hereby of our especial grace, certain knowledge and mere motion, given, granted and confirmed, and for us, our heirs and successors, do give, grant, and confirm unto our said trusty and well beloved subjects Sir Henry Rosewell, Sir John Young, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endicott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft : And for us, our heirs and successors, we will and ordain, that the said Sir Henry Rosewell, Sir John Young, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Noell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, and all such others as shall hereafter be admitted and made free of the company and society here-

after mentioned, shall from time to time, and at all times for ever hereafter be, by virtue of these presents, one body corporate and politick in fact and name, by the name of the Governór and Company of the Mattachusetts Bay in New England, and them by the name of the Governor and Company of the Mattachusetts Bay in New England, one body politick and corporate, in deed, fact, and name ; We do for us, our heirs and successors, make, ordain, constitute, and confirm by these presents, and by that name they shall have perpetual succession, and that by the same name they and their successors shall and may be capable and enabled as well to implead, and to be impleaded, and to prosecute, demand, and answer, and be answered unto, in all and singular suits, causes, quarrels, and actions, of what kind or nature soever. And also to have, take, possess, acquire, and purchase any lands, tenements, or hereditaments, or any goods or chattels, and the same to lease, grant, demise, alien, bargain, sell, and dispose of, as other our liege people of this our realm of England, or any other corporation or body politick of the same may lawfully do. And further, that the said governor and company, and their successors, may have forever one common seal, to be used in all causes and occasions of the said company, and the same seal may alter, change, break, and new make, from time to time at their pleasures. And our will and pleasure is, and we do hereby for us, our heirs and successors, ordain and grant, that from henceforth for ever, there shall be one Governor, one Deputy Governor, and eighteen Assistants of the same company, to be from time to time constituted, elected and chosen out of the freemen of the said company, for the time being, in such manner and form as hereafter in these presents is expressed, which said officers shall apply themselves to take care for the best disposing and ordering of the general business and affairs of, for, and concerning the said lands and premises hereby mentioned to be granted, and the plantation thereof, and the government of the people there. And for the better execution of our royal pleasure and grant in this behalf, we do, by these presents, for us, our heirs and successors, nominate, ordain, make, and constitute, our well beloved the said Matthew Cradock, to be the first and present Governor of the said company, and the said Thomas Goffe, to be Deputy Governor of the said company, and the said Sir Richard Saltonstall, Isaac Johnson, Samuel Aldersey, John Ven, John Humfrey, John Endecott, Simon Whetcombe, Increase Noell, Richard Pery, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Adams, Thomas Hutchins, John Browne, George Foxcroft, William Vassall, and William Pinchion, to be the present Assistants of the said Company, to continue in the said several offices respectively for such time, and in such manner, as in and by these presents is hereafter

declared and appointed. And further, we will, and by these presents, for us, our heirs and successors, do ordain and grant, That the governor of the said company for the time being, or in his absence by occasion of sickness or otherwise, the deputy governor for the time being, shall have authority from time to time upon all occasions, to give order for the assembling of the said company, and calling them together to consult and advise of the businesses and affairs of the said company, and that the said governor, deputy governor, and assistants of the said company, for the time being, shall or may once every month, or oftener at their pleasures, assemble and hold and keep a court or assembly of themselves, for the better ordering and directing of their affairs, and that any seven or more persons of the assistants, together with the governor, or deputy governor so assembled, shall be said, taken, held, and reputed to be, and shall be a full and sufficient court or assembly of the said company, for the handling, ordering, and despatching of all such businesses and occurrences as shall from time to time happen, touching or concerning the said company or plantation; and that there shall or may be held and kept by the governor, or deputy governor of the said company, and seven or more of the said assistants for the time being, upon every last Wednesday in Hilary, Easter, Trinity, and Michas terms respectively for ever, one great general and solemn assembly, which four general assemblies shall be styled and called the four great and general courts of the said company; in all and every, or any of which said great and general courts so assembled, we do for us, our heirs and successors, give and grant to the said governor and company, and their successors, that the governor, or in his absence, the deputy governor of the said company for the time being, and such of the assistants and freemen of the said company as shall be present, or the greater number of them so assembled, whereof the governor or deputy governor and six of the assistants at the least to be seven, shall have full power and authority to choose, nominate, and appoint, such and so many others as they shall think fit, and that shall be willing to accept the same, to be free of the said company and body, and them into the same to admit; and to elect and constitute such officers as they shall think fit and requisite, for the ordering, managing, and despatching of the affairs of the said governor and company, and their successors; and to make laws and ordinances for the good and welfare of the said company, and for the government and ordering of the said lands and plantation, and the people inhabiting and to inhabit the same, as to them from time to time shall be thought meet, so as such laws and ordinances be not contrary or repugnant to the laws and statutes of this our realm of England. And our will and pleasure is, and we do hereby

for us, our heirs and successors, establish and ordain, that yearly, once in the year, for ever hereafter, namely, the last Wednesday in Easter term, yearly, the governor, deputy governor, and assistants of the said company and all other officers of the said company shall be, in the general court or assembly to be held for that day or time, newly chosen for the year ensuing by such greater part of the said company, for the time being, then and there present, as is aforesaid. And if it shall happen the present governor, deputy governor, and assistants, by these presents appointed, or such as shall hereafter be newly chosen into their rooms, or any of them, or any other of the officers to be appointed for the said company, to die, or to be removed from his or their several offices or places before the said general day of election (whom we do hereby declare for any misdemeanor or defect to be removeable by the governor, deputy governor, assistants, and company, or such greater part of them in any of the public courts to be assembled as is aforesaid) that then, and in every such case, it shall and may be lawful, to and for the governor, deputy governor, assistants, and company aforesaid, or such greater part of them so to be assembled as is aforesaid, in any of their assemblies, to proceed to a new election of one or more others of their company in the room or place, rooms or places of such officer or officers so dying or removed according to their discretions, and, immediately upon and after such election and elections made of such governor, deputy governor, assistant or assistants, or any other officer of the said company, in manner and form aforesaid, the authority, office, and power, before given to the former governor, deputy governor, or other officer and officers so removed, in whose stead and place new shall be so chosen, as to him and them, and every of them, cease and determine. Provided also, and our will and pleasure is, that as well such as are by these presents appointed to be the present governor, deputy governor, and assistants of the said company, as those that shall succeed them, and all other officers to be appointed and chosen as aforesaid, shall, before they undertake the execution of their said offices and places respectively, take their corporal oaths for the due and faithful performance of their duties in their several offices and places, before such person or persons as are by these presents hereunder appointed to take and receive the same; that is to say, the said Matthew Cradock, who is hereby nominated and appointed the present governor of the said company, shall take the said oaths before one or more of the masters of our court of chancery for the time being, unto which master or masters of the chancery, we do by these presents give full power and authority to take and administer the said oath to the said governor accordingly: and after the said governor shall be

so sworn, then the said deputy governor and assistants, before by these presents nominated and appointed, shall take the said several oaths to their offices and places respectively belonging, before the said Matthew Cradock, the present governor, so formerly sworn as aforesaid. And every such person as shall be at the time of the annual election, or otherwise, upon death or removal, be appointed to be the new governor of the said company, shall take the oaths to that place belonging, before the deputy governor, or two of the assistants of the said company at the least, for the time being: and the new elected deputy governor and assistants, and all other officers to be hereafter chosen as aforesaid from time to time, to take the oaths to their places respectively belonging, before the governor of the said company for the time being, unto which said governor, deputy governor, and assistants, we do by these presents give full power and authority to give and administer the said oaths respectively, according to our true meaning herein before declared, without any commission or further warrant to be had and obtained of us, our heirs or successors, in that behalf. And we do further, of our especial grace, certain knowledge, and mere motion, for us, our heirs and successors, give and grant to the said governor and company, and their successors for ever by these presents, that it shall be lawful and free for them and their assigns, at all and every time and times hereafter, out of any our realms or dominions whatsoever, to take, lead, carry, and transport, for and into their voyages, and for and towards the said plantation in New England, all such and so many of our loving subjects, or any other strangers that will become our loving subjects, and live under our allegiance, as shall willingly accompany them in the same voyages and plantation; and also shipping, armour, weapons, ordnance, munition, powder, shot, corn, victuals, and all manner of clothing, implements, furniture, beasts, cattle, horses, mares, merchandizes, and all other things necessary for the said plantation, and for their use and defence, and for trade with the people there, and in passing and returning to and fro, any law or statute to the contrary hereof in any wise notwithstanding; and without paying or yielding any custom or subsidy, either inward or outward, to us, our heirs or successors, for the same, by the space of seven years from the day of the date of these presents. Provided, that none of the said persons be such as shall be hereafter by especial name restrained by us, our heirs or successors. And, for their further encouragement, of our especial grace and favour, we do by these presents, for us, our heirs and successors, yield and grant to the said governor and company, and their successors, and every of them, their factors and assigns, that they and every of them shall be free and quit from all taxes, subsidies,

and customs, in New England, for the like space of seven years, and from all taxes and impositions for the space of twenty and one years, upon all goods and merchandizes at any time or times hereafter, either upon importation thither, or exportation from thence into our realm of England, or into any other our dominions by the said governor and company, and their successors, their deputies, factors, and assigns, or any of them; except only the five pounds per centum due for custom upon all such goods and merchandizes as after the said seven years shall be expired, shall be brought or imported into our realm of England, or any other of our dominions, according to the ancient trade of merchants, which five pounds per centum only being paid, it shall be thenceforth lawful and free for the said adventurers, the same goods and merchandizes to export and carry out of our said dominions into foreign parts, without any custom, tax, or other duty to be paid to us, our heirs or successors, or to any other officers or ministers of us, our heirs and successors. Provided, that the said goods and merchandizes be shipped out within thirteen months, after their first landing within any part of the said dominions. And we do for us, our heirs and successors, give and grant unto the said governor and company, and their successors, that whensoever, or so often as any custom or subsidy shall grow due or payable unto us, our heirs, or successors, according to the limitation and appointment aforesaid, by reason of any goods, wares, or merchandizes to be shipped out, or any return to be made of any goods, wares, or merchandize unto or from the said parts of New England hereby mentioned to be granted as aforesaid, or any the lands or territories aforesaid, that then, and so often, and in such case, the farmers, customers, and officers of our customs of England and Ireland, and every of them for the time being, upon request made to them by the said governor and company, or their successors, factors, or assigns, and upon convenient security to be given in that behalf, shall give and allow unto the said governor and company, and their successors, and to all and every person and persons free of that company, as aforesaid, six months time for the payment of the one half of all such custom and subsidy as shall be due and payable unto us, our heirs and successors, for the same; for which these our letters patent, or the duplicate, or the enrolment thereof, shall be unto our said officers a sufficient warrant and discharge. Nevertheless, our will and pleasure is, that if any of the said goods, wares, and merchandise, which be, or shall be at any time hereafter landed or exported out of any of our realms aforesaid, and shall be shipped with a purpose not to be carried to the parts of New England aforesaid, but to some other place, that then such payment, duty, custom, imposition, or forfeiture, shall be paid, or belong to us, our heirs and successors, for the said goods,

wares and merchandize, so fraudulently sought to be transported, as if this our grant had not been made nor granted. And we do further will, and by these presents, for us, our heirs and successors, firmly enjoin and command, as well the treasurer, chancellor and barons of the exchequer, of us, our heirs and successors, as also all and singular the customers, farmers, and collectors of the customs, subsidies, and impost, and other the officers and ministers of us, our heirs and successors whatsoever, for the time being, that they and every of them, upon the shewing forth unto them of these letters patent, or the duplicate or exemplification of the same, without any other writ or warrant whatsoever from us, our heirs or successors, to be obtained or sued forth, do and shall make full, whole, entire, and due allowance and clear discharge unto the said governor and company, and their successors, of all customs, subsidies, impositions, taxes and duties whatsoever, that shall or may be claimed by us, our heirs and successors, of or from the said governor and company, and their successors, for or by reason of the said goods, chattels, wares, merchandizes, and premises to be exported out of our said dominions, or any of them, into any part of the said lands or premises hereby mentioned, to be given, granted, and confirmed, or for, or by reason of any of the said goods, chattels, wares, or merchandizes to be imported from the said lands and premises hereby mentioned, to be given, granted, and confirmed into any of our said dominions, or any part thereof as aforesaid, excepting only the said five pounds per centum hereby reserved and payable after the expiration of the said term of seven years as aforesaid, and not before: And these our letters patent, or the enrolment, duplicate, or exemplification of the same shall be for ever hereafter, from time to time, as well to the treasurer, chancellor and barons of the exchequer of us, our heirs and successors, as to all and singular the customers, farmers, and collectors of the customs, subsidies, and imposts of us, our heirs and successors, and all searchers, and other the officers and ministers whatsoever of us, our heirs and successors, for the time being, a sufficient warrant and discharge in this behalf. And further our will and pleasure is, and we do hereby for us, our heirs and successors, ordain and declare, and grant to the said governor and company, and their successors, that all and every the subjects of us, our heirs or successors, which shall go to and inhabit within the said lands and premises hereby mentioned to be granted, and every of their children which shall happen to be born there, or on the seas in going thither, or returning from thence, shall have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of us, our heirs or successors, to all intents, constructions, and pur-

poses whatsoever, as if they and every of them were born within the realm of England. And that the governor and deputy governor of the said company for the time being, or either of them, and any two or more of such of the said assistants as shall be thereunto appointed by the said governor and company at any of their courts or assemblies to be held as aforesaid, shall and may at all times, and from time to time hereafter, have full power and authority to minister and give the oath and oaths of supremacy and allegiance, or either of them, to all and every person and persons, which shall at any time or times hereafter go or pass to the lands and premises hereby mentioned to be granted to inhabit in the same. And we do of our further grace, certain knowledge and mere motion, give and grant to the said governor and company, and their successors, that it shall and may be lawful, to and for the governor or deputy governor, and such of the assistants and freemen of the said company for the time being as shall be assembled in any of their general courts aforesaid, or in any other courts to be specially summoned and assembled for that purpose, or the greater part of them (whereof the governor or deputy governor, and six of the assistants to be always seven) from time to time, to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions, and instructions, not contrary to the laws of this our realm of England, as well for settling of the forms and ceremonies of government and magistracy, fit and necessary for the said plantation, and the inhabitants there, and for naming and settling of all sorts of officers, both superiour and inferiour, which they shall find needful for that government and plantation, and the distinguishing and setting forth of the several duties, powers, and limits of every such office and place, and the forms of such oaths warrantable by the laws and statutes of this our realm of England, as shall be respectively ministered unto them for the execution of the said several offices and places; as also for the disposing and ordering of the elections of such of the said officers as shall be annual, and of such others as shall be to succeed in case of death or removal, and ministering the said oaths to the new elected officers, and for impositions of lawful fines, mulets, imprisonment, or other lawful correction, according to the course of other corporations in this our realm of England, and for the directing, ruling, and disposing of all other matters and things, whereby our said people, inhabitants there, may be so religiously, peaceably, and civilly governed, as their good life and orderly conversation, may win and incite the natives of country, to the knowledge and obedience of the only true God and Saviour of mankind, and the christian faith, which in our royal intention, and the adventurers free profession, is the

principal end of this plantation. Willing, commanding, and requiring, and by these presents for us, our heirs, and successors, ordaining and appointing, that all such orders, laws, statutes and ordinances, instructions and directions, as shall be so made by the governor, or deputy governor of the said company, and such of the assistants and freemen as aforesaid, and published in writing, under their common seal, shall be carefully and duly observed, kept, performed, and put in execution, according to the true intent and meaning of the same; and these our letters patent, or the duplicate or exemplification thereof, shall be to all and every such officers, superiour and inferiour, from time to time, for the putting of the same orders, laws, statutes, and ordinances, instructions, and directions, in due execution against us, our heirs and successors, a sufficient warrant and discharge. And we do further, for us, our heirs and successors, give and grant to the said governor and company, and their successors by these presents, that all and every such chief commanders, captains, governors, and other officers and ministers, as by the said orders, laws, statutes, ordinances, instructions, or directions of the said governor and company for the time being, shall be from time to time hereafter employed either in the government of the said inhabitants and plantation, or in the way by sea thither, or from thence, according to the natures and limits of their offices and places respectively, shall from time to time hereafter forever, within the precincts and parts of New England hereby mentioned to be granted and confirmed, or in the way by sea thither, or from thence, have full and absolute power and authority to correct, punish, pardon, govern, and rule all such the subjects of us, our heirs and successors, as shall from time to time adventure themselves in any voyage thither or from thence, or that shall at any time hereafter, inhabit within the precincts and parts of New-England aforesaid, according to the orders, laws, ordinances, instructions, and directions aforesaid, not being repugnant to the laws and statutes of our realm of England as aforesaid. And we do further, for us, our heirs and successors, give and grant to the said governor and company, and their successors, by these presents, that it shall and may be lawful, to and for the chief commanders, governors, and officers of the said company for the time being, who shall be resident in the said part of New England in America, by these presents granted, and others there inhabiting by their appointment and direction, from time to time, and at all times hereafter for their special defence and safety, to encounter, expulse, repel, and resist by force of arms, as well by sea as by land, and by all fitting ways and means whatsoever, all such person and persons, as shall at any time hereafter, attempt or enterprise the destruction, invasion,

detriment, or annoyance to the said plantation or inhabitants, and to take and surprise by all ways and means whatsoever, all and every such person and persons, with their ships, armour, munition, and other goods, as shall in hostile manner invade or attempt the defeating of the said plantation, or the hurt of the said company and inhabitants: Nevertheless, our will and pleasure is, and we do hereby declare to all Christian kings, princes and states, that if any person or persons which shall hereafter be of the said company or plantation, or any other by license or appointment of the said governor and company for the time being, shall at any time or times hereafter, rob or spoil, by sea or by land, or do any hurt, violence, or unlawful hostility to any of the subjects of us, our heirs or successors, or any of the subjects of any prince or state, being then in league and amity with us, our heirs and successors, and that upon such injury done and upon just complaint of such prince or state or their subjects, we, our heirs and successors shall make open proclamation within any of the parts within our realm of England commodious for that purpose, that the person or persons. having committed any such robbery or spoil, shall within the term limited by such a proclamation, make full restitution or satisfaction of all such injuries done, so as the said princes or others so complaining, may hold themselves fully satisfied and contented; and that if the said person or persons, having committed such robbery or spoil, shall not make, or cause to be made satisfaction accordingly, within such time so to be limited, that then it shall be lawful for us, our heirs and successors, to put the said person or persons out of our allegiance and protection, and that it shall be lawful and free for all princes to prosecute with hostility, the said offenders, and every of them, their and every of their procurers, aiders, abettors, and comforters in that behalf: Provided also, and our express will and pleasure is, and we do by these presents for us, our heirs and successors ordain and appoint that these presents shall not in any manner enure, or be taken to abridge, bar, or hinder any of our loving subjects whatsoever, to use and exercise the trade of fishing upon that coast of New England in America, by these presents mentioned to be granted; but that they, and every, or any of them, shall have full and free power and liberty to continue and use their said trade of fishing upon the said coast, in any the seas thereunto adjoining, or any arms of the seas or salt water rivers where they have been wont to fish, and to build and set up upon the lands by these presents granted, such wharves, stages, and work-houses as shall be necessary for the salting, drying, keeping, and packing up of their fish, to be taken or gotten upon that coast; and to cut down, and take such trees and other materials there growing, or being, or shall be needful

for that purpose, and for all other necessary easements, helps, and advantage concerning their said trade of fishing there, in such manner and form as they have been heretofore at any time accustomed to do, without making any wilful waste or spoil, any thing in these presents contained to the contrary notwithstanding. And we do further, for us, our heirs and successors, ordain and grant to the said governor and company, and their successors by these presents, that these our letters patent shall be firm, good, effectual, and available in all things, and to all intents and constructions of law, according to our true meaning herein before declared, and shall be construed, reputed, and adjudged in all cases most favourably on the behalf, and for the benefit and behoof of the said governor and company and their successors: although express mention of the true yearly value or certainty of the premises or any of them, or of any other gifts or grants, by us or any of our progenitors or predecessors to the aforesaid governor or company before this time made, in these presents is not made; or any statute, act, ordinance, provision, proclamation, or restraint to the contrary thereof, heretofore had, made, published, ordained, or provided, or any other matter, cause, or thing 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 fourth year of our reign.

Per Breve de Privato Sigillo.

WOLSELEY.

Prædictus Matthæus Cradocke Juratus est de Fide et Obedientia Regi et Successoribus suis, et de Debita Executione Officii Gubernatoris juxta Tenorem Præsentium, 18^o Martii, 1628. Coram me Carolo Cæsare Milite in Cancellaria Mro.

CHAR. CÆSAR.

The Great Seal of England appendant by a party-coloured silk string.