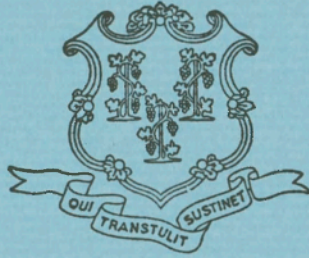


TERCENTENARY COMMISSION OF THE
STATE OF CONNECTICUT



COMMITTEE ON
HISTORICAL PUBLICATIONS

III

The Charter of Connecticut.
1662

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The Charter of Connecticut, 1662

THE charter of Connecticut was granted to the colony by Charles the Second, King of England. It is dated April twenty-third, "in the Fowerteenth yeare of our Reigne," which was 1662, and was validated by the affixing of the great seal of the realm on the tenth of May following. This charter formed the basis of the rights and powers of the inhabitants of the colony and was in effect the constitution of Connecticut for more than a century and a half. It is now the state's most precious relic of its early history.

At the time it was granted, the charter was issued in duplicate; that is, two charters practically identical were made and sealed for the colony. Each of the two was a valid charter, and each was called a "duplicate" in the text of the other. One of these charters was mutilated about 1817 when, either because its identity was not recognized or its historical significance not appreciated, it was cut up to form the lining of a lady's bonnet. About two-thirds of the second of the two parchment sheets upon which it is believed to have been written now remains. This fragment together with small portions of the green wax seal from one of the charters are now in

the custody of the Connecticut Historical Society at Hartford.

The other charter, written on three sheets of parchment and complete except for the loss of its seal, is now preserved in a special fireproof safe in the Memorial Hall of the State Library and Supreme Court building at Hartford. It is from this charter that the text of the document which follows has been copied.

No attempt has been made in printing to reproduce the large and elaborate letter C surrounding a portrait of the sovereign which begins the document or the enlarged letters of the six words forming the first line. Neither has attention been given to the heavier strokes of the engrosser's pen which serve to give emphasis to occasional words in the text.

The charter was first printed in 1718 from the text of the now imperfect document and this text continued to be used, in all official printings at least, until 1852. In that year it was officially printed in the second volume of *The Public Records of the Colony of Connecticut* from the document now in the custody of the Connecticut State Library, the same from which the accompanying text is printed.

ALBERT C. BATES

Passage of the Charter through the Seals.

A LETTERS patent under the great seal was a document of the highest importance and to obtain it was often a tedious and expensive process. The procedure was defined by an act of 1535 and remained essentially unaltered until the entire system of the seals was reorganized by acts passed in 1851 and 1884, greatly simplifying the process.

The events precedent to the issue of the charter are as follows. As soon as the news of the restoration of Charles II was received in the colony a hurried gathering was called by Governor Winthrop of such magistrates and deputies as could be assembled. These men agreed to recommend to the next General Court, that of March, 1661, the duty and necessity of dispatching a speedy address to "our Sovereign Lord Charles," declaring that the inhabitants of the colony were "his Highness loyall and faythfull subjects" and asking for "the continuance and confirmation of such priviledges and liberties" as were necessary for "the comfortable and peaceable settlement" of the colony.

At the next court, that of May, a committee was appointed to perfect the address, which in the meantime had been drawn up by the governor, and to frame a petition for presentation "to his Ma^{tie}," together with letters to such "noble personages" as might be thought favorable to the colony, such as the Earl of Manchester, Lord Saye and Sele, Lord Brooke, and others of the old

Warwick patentees. This petition was accompanied by a rough and probably very incomplete statement of what the colony wanted. At the same time a body of instructions was prepared that presented in greater detail sundry matters of a more particular nature. These documents were presented at the meeting of the court in June and approved. As Winthrop was to be the colony's agent in transacting the business, the court gave him a fairly free hand to do as he liked, allowing him to write additional letters if he thought best and to present any further petition that he deemed necessary. It appropriated £80 for his expenses and £500 to meet official costs. He was expected to obtain, if possible, a confirmation of the old Warwick Patent, a copy of which he fortunately found among the Hopkins papers; and such confirmation, with the additions and enlargements desired, was to take the form of a royal letters patent or charter. Winthrop was specially enjoined to see that the "liberties and privileges inserted in the Pattent" were "not to be inferiour or short to what is granted to the Massachusetts."

Winthrop, bearing the address, petition, and letters, and a letter of credit authorizing him to charge bills on the colony to the value of £500, sailed from New Amsterdam on the *De Trouw*. In London he lived in Coleman Street, Lothbury, at the house of William Whiting, more than two miles from Whitehall where most of his work was to be done. In the course of his activities he was probably advised that the address drawn up in the colony was not in satisfactory form, and therefore he drafted or caused to be drafted another and more suitable text, in which he petitioned for a "Renual of the [Warwick] Pattent under your Ma^{ties} greate Seale." He probably also rewrote, with the assistance of a lawyer familiar with Chancery requirements, the form in which the charter

was to be issued, though the final wording would of necessity be the work of the crown officials themselves.

The petition and draft, thus revised to meet the demands of the occasion, were handed in some time before February 6, 1662, and were received by one of the principal secretaries of state, Sir Edward Nicholas, who at this time was nearing the end of his career, for he was supplanted by Sir Henry Bennet the October following. He was sixty-nine years old and in all his official duties was overshadowed and greatly influenced by the lord chancellor, the Earl of Clarendon, to whom more than to anyone else Connecticut owes her charter.

After perusal and consideration by the secretary of state the petition and draft were referred to the attorney-general, one of the two law officers of the crown, at this time Sir Geoffrey Palmer. The reference was accompanied by a memorandum attached to the face of the petition, which bears the date February 12. The report of the attorney-general was endorsed on the back of the petition—the exact date of the endorsement is illegible on the document itself—sometime between February 12 and 28, for the report was received by the secretary on the latter date. The secretary, acting under instructions from the King in council caused to be issued a warrant under the King's sign manual directed to the attorney-general and instructing him to prepare the text of the charter in the form known as the King's Bill, an instrument that generally but not always bore the King's signature. This warrant is dated February 28, the day the secretary received the report of the attorney-general. The latter had under his charge the Patent Office, or Patent Bill

¹ The best account of the preliminaries leading to the issue of the charter is by Albert C. Bates, *The Charter of Connecticut*, Connecticut Historical Society, 1932.

Office, as it was sometimes called, and on receiving the warrant from the secretary instructed the clerk of the patents to make two copies of the bill, after which the original petition and draft were returned to the attorney-general, who retained it in his possession. After the two copies had been made the original King's Bill was sent to the secretary of state for the King's signature and was then dispatched to the Signet and Privy Seal Offices for comparison.

The two engrossed copies of the King's Bill, which were made by the clerks of the Patent Office, were delivered, one to the Signet Office, as the latter's warrant for the issue of the Signet Bill, and the other to the Privy Seal Office. In the case of Connecticut the King's Bill, dated April 5, was put in charge at the Signet Office on April 14, and was compared by one of the four clerks with the copy sent by the secretary, for the purpose of checking up mistakes. Slight verbal errors were almost impossible to avoid, where so much copying was to be done, but deliberate alterations were certain to meet with detection and were probably never attempted. When comparisons were completed in the Signet Office, the Signet Bill was prepared, which was merely the King's Bill with the signet affixed, and was carried to the Privy Seal Office, which in Connecticut's day was only a few steps away on the north side of Whitehall Court. It was the warrant for the Lord Privy Seal to prepare the Writ of Privy Seal, which, as far as the text went, was the finished charter. The Writ of Privy Seal was engrossed by the clerk of the reports, who added the royal "style" at the beginning and the testing clause at the end, affixed the seal, and signed the instrument. The name "Howard" at the end of the Connecticut charter is undoubtedly that of the clerk of the reports in the

Privy Seal Office. The Lord Privy Seal at the time was John Robartes, first earl of Radnor, and the original Signet Bill should be found somewhere among his papers, if such are still in existence.

One copy of the Writ of Privy Seal was carried to the lord chancellor possibly by Winthrop himself, and another was sent to the Six Clerks' Office in Chancery Lane, where it was duly entered on the Patent Rolls. Were the charter in our State Library to be in any way impaired or destroyed an accurate text could be obtained at any time from that source. When the lord chancellor received the Writ of Privy Seal he wrote upon it, April 21, the word "recepti," which was the mark of his approval and his warrant to the clerk of the patents to prepare two engrossed and illuminated copies, exact textual reproductions of the Writ of Privy Seal, to be ready for the affixing of the great seal. The work of engrossing the parchments was the task of a specially skilled engrossing clerk in the Patent Office, who was familiar with the court hand of the day and gifted with considerable artistic ability and cleverness at penmanship. When all was ready the deputy of the lord chancellor, accompanied by the clerk of the Crown Office or his deputy and the clerk of the Hanaper, each of whom registered the two instruments and received a substantial fee therefor, attended the Chaff Wax, who provided and prepared the wax for the great seal and himself or his deputy looked after the actual business of attaching the seal to the instrument. Not until the seal was attached was the charter a legal document. Of the two copies engrossed and sealed, each was a duplicate of the other and each a true patent possessing equal validity with its fellow.

In the case of the Connecticut charter all the formal documents noticed above and all docquets which were

prepared in the Signet and Privy Seal Offices and recorded in the Docquet Books of those offices are still to be found in the records of the various departments and officials. The time required for the completion of the charter, about two and a half months, from the handing in of the petition to the affixing of the great seal, is less than in some instances and may be considered a fair average. Of the final cost of procuring the charter we have no certain knowledge, nor are we sure that the £500 appropriated by the colony was sufficient to meet all expenses. For the payment of this sum the treasurer, John Talcott, made himself personally responsible, but there is nothing to show that he was ever called upon for any part of the payment. The cost was met by a levy in grain upon the towns—two-thirds wheat and one-third pease, dry and merchantable—which was sent to New London for shipment in carts, boats, or canoes, pressed into service or hired for the purpose. Where the grain was ultimately sold is not recorded.

CHARLES M. ANDREWS

CHARLES the Second By the grace of God King of England Scotland France and Ireland defender of the Faith &c To all to whome this presents shall come Greetinge Whereas by the severall Navigaçons, discoveries and successfull Plantaçons of diverse of our loveing Subjects of this our Realmes of England Severall Lands Islands Places Colonies and Plantaçons have byn obtained and settled in that parte of the Continent of America called New England and thereby the Trade and Commerce there hath byn of late yeares much increased And Whereas wee have byn informed by the humble Petiçon of our Trusty and welbeloved John Winthrop John Mason Samuell Willis Henry Clerke Mathew Allen John Tappen Nathan Gold Richard Treaté Richard Lord Henry Woolicott John Talcott Daniell Clerke John Ogden Thomas Wells Obedias Brewen John Clerke Anthony Haukins John Deming and Mathew Camfeild being Persons Principally interessed in our Colony or Plantaçon of Conecticut in New England that the same Colony or the greatest parte thereof was purchaséd and obteyned for greate and valuable Consideraçons And some other part thereof gained by Conquest and with much difficulty and att the onely endeavours expence and Charge of them and their Affociats and those vnder whome they Clayme Subdued and improved and thereby become a considerable enlargement and addiçon of our Dominions and interest there Now know yea that in consideraçon thereof and in regard the said Colony is remote from other the English Plantaçons in the Places aforesaid And to the end the Affaires and Busines which shall from tyme to tyme happen or arise concerning the same may bee duely Ordered and managed Wee have thought fitt and att the humble Petiçon of the Persons aforesaid and are graciously pleased to

Create and Make them a Body Politique and Corporate with the powers and Priviledges herein after menconed And accordingly Our will and pleasure is and of our especiall grace certeine knowledge and meere mocon Wee have Ordeyned Constituted and Declared And by theis presents for vs our heires and Successors Doe Ordeine Constitute and Declare That they the said John Winthrop John Mason Samuell Willis Henry Clerke Mathew Allen John Tappen Nathan Gold Richard Treat Richard Lord Henry Woollcot John Talcot Daniell Clerke John Ogden Thomas Wells Obadiah Brewen John Clerke Anthony Hawkins John Deming and Mathew Camfeild and all such others as now are or hereafter shall bee Admitted and made free of the Company and Society of our Collony of Connecticut in America shall from tyme to tyme and for ever hereafter bee one Body Corporate and Politique in fact and name by the Name of Governour and Company of the English Collony of Conecticut in New England in America And that by the same name they and their Successors shall and may have perpetuall Succession and shall and may bee Persons able and Capable in the law to Plead and bee Impleaded to Answer and to bee Answered vnto to Defend and bee Defended in all and singuler Suits Causes quarrelles Matters, Accõs and things of what kind or nature soever And alsoe to have take possesse acquire and purchase lands Tenements or hereditaments or any goods or Chattells and the same to Lease Graunt Demise Alien bargain Sell and dispose of as other our leige People of this our Realme of England or any other Corporaõn or Body Politique within the same may lawfully doe And further that the said Governour and Company and their Successors shall and may for ever hereafter have a Common Seale to serve and vse for all Causes matters, things and

affaires whatsoever of them and their Successors and the same Seale to alter change breake and make new from tyme to tyme att their wills and pleasures as they shall thinke fitt And further wee will and Ordeine and by theis presents for vs our heires and Successors Doe Declare and appoint that for the better ordering and managinge of the affaires and bufineffe of the said Company and their Successors there shall bee one Governour one Deputy Governour and Twelve Assistants to bee from tyme to tyme Constituted Elected and Chosen out of the Freemen of the said Company for the tyme being in such manner and forme as hereafter in these presents is expressed which said Officers shall apply themselves to take care for the best disposing and Ordering of the Generall bufmes and affaires of and concerning the lands and hereditaments herein after menconed to bee graunted and the Plantacon thereof and the Government of the People thereof And for the better execucon of our Royall Pleasure herein Wee doe for vs our heires and Successors Assigne name Constitute and appoint the aforesaid John Winthrop to bee the first and present Governour of the said Company And the said John Mason to bee the Deputy Governour And the said Samuell Willis Mathew Allen Nathan Gold Henry Clerke Richard Treat John Ogden Thomas Tappen John Talcott Thomas Wells Henry Woolcot Richard Lord and Daniell Clerke to bee the Twelve present Assistants of the said Company to contynue in the said severall Offices respectively vntill the second Thursday which shall bee in the Moneth of October now next comeing And further wee will and by theis presents for vs our heires and Successors Doe Ordaine and Graunt that the Governour of the said Company for the tyme being or in his absence by occasion of sicknes or otherwise by his leave or permission the

Deputy Governour for the tyme being shall and may from tyme to tyme upon all occasions give Order for the assembling of the said Company and calling them together to Consult and advise of the businesse and Affaires of the said Company And that for ever hereafter Twice in every yeare That is to say on every Second Thursday in October and on every Second Thursday in May or oftner in Case it shall bee requisite The Assistants and freemen of the said Company or such of them not exceeding twoe Persons from each Place Towne or Citty whoe shall bee from tyme to tyme therevnto Elected or Deputed by the maior parte of the freemen of the respective Townes Cittyes and Places for which they shall bee soe elected or Deputed shall have a generall meeting or Assembly then and their to Consult and advise in and about the Affaires and businesse of the said Company And that the Governour or in his absence the Deputy Governour of the said Company for the tyme being and such of the Assistants and freemen of the said Company as shall be soe Elected or Deputed and bee present att such meeting or Assembly or the greatest Number of them whereof the Governour or Deputy Governour and Six of the Assistants at least to bee Seaven shall bee called the Generall Assembly and shall have full power and authority to alter and change their dayes and tymes of meeting or Generall Assemblies for Electing the Governour Deputy Governour and Assistants or other Officers or any other Courts Assemblies or meetings and to Chooße Nominate and appoint such and soe many other Persons as they shall thinke fitt and shall bee willing to accept the same to be free of the said Company and Body Politique and them into the same to Admitt and to Elect and Constitute such Officers as they shall thinke fitt and requisite for the Ordering mannageing and dif-

poseing of the Affaires of the said Governour and Company and their Successors And Wee doe hereby for vs our heires and Successors Establish and Ordeine that once in the yeare for ever hereafter namely, the said Second Thursday in May the Governour Deputy Governour and Assistants of the said Company and other Officers of the said Company or such of them as the said Generall Assembly shall thinke fitt shall bee in the said Generall Court and Assembly to bee held from that day or tyme newly Chosen for the yeare unfuing, by such greater part of the said Company for the tyme being then and there present And if the Governour Deputy Governour and Assistants by these presents appointed or such as hereafter bee newly Chosen into their Roomes or any of them or any other the Officers to bee appointed for the said Company shall dye or bee removed from his or their severall Offices or Places before the said Generall day of Elec̄con whome wee doe hereby Declare for any misdemeanour or default to bee removeable by the Governour Assistants and Company or such greater part of them in any of the said publique Courts to bee Assembled as is aforesaid That then and in every such Case itt shall and may bee lawfull to and for the Governour Deputy Governour and Assistants and Company aforesaid or such greater parte of them soe to bee Assembled as is aforesaid in any of their Assemblies to Proceede to a New Elec̄con of one or more of their Company in the Roome or Place Roomes or Places of such Governour Deputy Governour Assistant or other Officer or Officers soe dyeing or removed according to their discretions and imediately vpon and after such Elec̄con or Elec̄cons made of such Governour Deputy Governour Assistant or Assistants or any other Officer of the said Company in manner and forme aforesaid The Authority Office and Power before given to the

former Governour Deputy Governour or other Officer and Officers soe removed in whose stead and Place new shall bee chosen shall as to him and them and every of them respectively cease and determine Provided alsoe and our will and pleasure is That as well such as are by theis presents appointed to bee the present Governour Deputy Governour and Assistants of the said Company as those that shall succeed them and all other Officers to bee appointed and Chosen as aforesaid shall, before they vndertake the Execucon of their said Offices and Places respectively take their severall and respective Corporall Oathes for the due and faithfull performance of their duties in their severall Offices and Places before such Person or Persons as are by these Presents hereafter appoynted to take and receive the same That is to say the said John Winthrop whoe is herein before nominated and appointed the present Governour of the said Company shall take the said Oath before one or more of the Masters of our Court of Chancery for the tyme being vnto which Master of Chancery Wee doe by theis presents give full power and authority to Administer the said Oath to the said John Winthrop accordingly. And the said John Mason whoe is herein before nominated and duely appointed the present Deputy Governour of the said Company shall take the said Oath before the said John Winthrop or any twoe of the Assistants of the said Company vnto whome Wee doe by these presents give full power and authority to Administer the said Oath to the said John Mason accordingly. And the said Samuell Willis Henry Clerke Mathew Allen John Tappen Nathan Gold, Richard Treat, Richard Lord, Henry Woolcott John Talcott Daniell Clerke John Ogden and Thomas Welles whoe are here in before Nominated and appointed the present Assistants of the said Company shall take the

Oath before the said John Winthrop and John Mafon or one of them to whome Wee doe hereby give full power and authority to Administer the same accordingly And our further will and pleafure is that all and every Governour or Deputy Governour to bee Elected and Chosen by vertue of theis presents shall take the said Oath before two or more of the Assiftants of the said Company for the tyme being vnto whom Wee doe by theis presents give full power and authority to give and Administer the said Oath accordingly And the said Assiftants and every of them and all and every other Officer or Officers to bee hereafter Chosen from tyme to tyme to take the said Oath before the Governour or Deputy Governour for the tyme being vnto which said Governour or Deputy Governour wee doe by theis presents give full power and authority to Administer the same accordingly And further of our more ample grace certeine knowledge and meere moçon Wee have given and Graunted and by theis presents for vs our heires and Successors Doe give and Graunt vnto the said Governour and Company of the English Colony of Conecticut in New England in America and to every Inhabitant there, and to every Perfon and Persons Trading thither And to every such Perfon and Perfons as are or shall bee free of the said Collony full power and authority from tyme to tyme and att all tymes hereafter to take Ship Transport and Carry away for and towards the Plantation and defence of the said Collony such of our loveing Subjects and Strangers as shall or will willingly accompany them in and to their said Collony and Plantaton (Except such Perfon and Perfons as are or shall bee there in restrayned by vs our heires and Successors) And alsoe to Ship and Tranfport all and all manner of goods Chattells Merchandizes and other things whatsoever that are or

shall bee vfeull or necessary for the Inhabitants of the said Collony and may lawfully bee Transported thither Neverthelesse not to bee discharged of payment to vs our heires and Successors of the Dutyes Customes and Subsidies which are or ought to bee paid or payable for the same And further Our will and pleasure is And Wee doe for vs our heires and Successors Ordeyne Declare and Graunt vnto the said Governor and Company and their Successors That all and every the Subjects of vs our heires or Successors which shall goe to Inhabite within the said Colony and every of their Children which shall happen to bee borne there or on the Sea in going thither or returneing from thence shall have and enjoye all liberties and Immunities of free and naturall Subjects within any the Dominions of vs our heires or Successors to all intents Construc̃ons and purposes watsoever as if they and every of them were borne within the Realme of England And Wee doe authorise and empower the Governour or in his absence the Deputy Governour for the tyme being to appointe two or more of the said assistants att any of their Courts or Assemblies to bee held as aforesaid to have power and authority to Administer the Oath of Supremacy and obedience to all and every Person and Persons which shall att any tyme or tymes hereafter goe or passe into the said Colony of Conecticut vnto which said Assistants foe to bee appointed as aforesaid Wee doe by these presents give full power and authority to Administer the said Oath accordingly. And wee doe further of our especiall grace certeine knowledge and meere mõcon give and Graunt vnto the said Governor and Company of the English Colony of Conecticut in New England in America and their Successors that itt shall and may bee lawfull to and for the Governour or Deputy Governour and such of the Assistants of the said

Company for the tyme being as shall bee Affembled in any of the General Courts aforefaid or in any Courts to bee eſpecially Sumoned or Affembled for that purpoſe or the greater parte of them whereof the Governor or Deputy Governor and Six of the Aſſiſtants to be all wayes Seaven to Erect and make ſuch Judicatories for the heareing and Determining of all Ac̄cons Causes matters and thinges happeing within the ſaid Colony or Plantācon and which ſhall bee in diſpute and depending there as they ſhall thinke fitt and convenient And alſoe from tyme to tyme to Make Ordaine and Eſtabliſh All manner of wholfome and reaſonable Lawes Statutes Ordinances Direc̄cons and Inſtruc̄cons not contrary to the lawes of this Realme of England aſwell for ſetling the formes and Ceremonies of Governement and Mageſtracy fitt and neceſſary for the ſaid Plantācon and the Inhabitants there as for nameing and Stileing all ſorts of Officers both ſuperior and inferior which they ſhall find needfull for the Governement and Plantācon of the ſaid Colony and the diſtinguiſhing and ſetting forth of the ſeverall Dutyes Powers and Lymitts of every ſuch Office and Place and the formes of ſuch Oaths not being contrary to the lawes and Statutes of this our Realme of England to bee Adminiſtred for the Execūcon of the ſaid ſeverall Offices and Places As alſoe for the diſpoſeing and Ordering of the Elec̄con of ſuch of the ſaid Officers as are to bee Annually Chofen and ſuch others as ſhall ſucceed in caſe of death or removall and Adminiſtring the ſaid Oath to the new Elected Officers and Graunting neceſſary Comiſſions and for impoſīcon of lawfull Fines Mulcts Imprifonment or other Punifhment vpon Offenders and Delinquents according to the Courſe of other Corporācons within this our Kingdome of England and the ſame lawes fines Mulcts and Execūcons to alter change revoke adnull releafe or

Pardon vnder their Comon Seale As by the said Generall
Affembly or the major part of them shall bee thought fitt
And for the directing ruleing and disposing of all other
matters and things whereby our said People Inhabitants
there may bee soe religiously peaceably and civilly Gov-
erned as their good life and orderly Conuersation may
wynn and invite the Natives of the Country to the
knowledge and obedience of the onely true God and
Saviour of mankind and the Christian faith which in our
Royall intencons and the Adventurers free profession is
the onely and principall end of this Plantacon Willing
Commanding and requireing and by these presents for vs
our heires and Successors Ordaineing and appointeing
That all such Lawes Statutes and Ordinances Instruccons
Imposicons and Direccons as shall bee soe made by the
Governor Deputy Governor and Assistants as aforesaid
and published in writeing vnder their Comon Seale shall
carefully and duely bee observed kept performed and putt
in executon according to the true intent and meaning of
the same And these our letters Patents or the Duplicate
or Exemplificacon thereof shall bee to all and every such
Officers Superiors and inferiors from tyme to tyme for
the Putting of the same Orders lawes Statutes Ordinances
Instruccons and Direccons in due Execucon against vs
our heires and Successors, a sufficient warrant and dis-
charge And wee doe further for vs our heires and Succe-
sors give and Graunt vnto the said Governor and Com-
pany and their Successors by these presents That itt shall
and may bee lawfull to and for the Cheife Commanders
Governors and Officers of the said Company for the tyme
being whoe shall bee resident in the parts of New England
hereafter menconed and others inhabiting there by their
leave admittance appointment or direccon from tyme to
tyme and att all tymes hereafter for their speciall defence

and safety to Affemble Martiall Array and putt in Warlike posture the Inhabitants of the said Colony and to Commissionate Impower and authorise such Person or Persons as they shall thinke fitt to lead and Conduct the said Inhabitants and to encounter expulfe repell and resist by force of Armes as well by Sea as by land And alsoe to kill Slay and destroy by all fitting wayes enterprizes and meanes whatsoever all and every such Person or Persons as shall att any tyme hereafter Attempt or enterprize the destruc̃on inuasion detriment or annoyance of the said Inhabitants or Plantãon And to vse and exercise the Law Marciall in such Cafes onely as occasion shall require And to take or surprize by all wayes and meanes whatsoever all and every such Person and Persons with their Shipps Armour Ammunĩon and other goods of such as shall in such hostile manner invade or attempt the defeating of the said Plantãon or the hurt of the said Company and Inhabitants and vpon iust Causes to invade and destroy the Natives or other Enemyes of the said Colony Nevertheless Our Will and pleasure is And Wee doe hereby Declare vnto all Christian Kings Princes and States That if any Persons which shall hereafter bee of the said Company or Plantãon or any other by appointment of the said Governor and Company for the tyme being shall att any tyme or tymes hereafter Robb or Spoile by Sea or by land and doe any hurt violence or vnlawfull hostillity to any of the Subiects of vs our heires or Successors or any of the Subiects of any Prince or State beinge then in league with vs our heires or Successors vpon Complaint of such iniury done to any such Prince or State or their Subiects Wee our heires and Successors will make open Proclamãon within any parts of our Realme of England fitt for that purpose That the Person or Persons commitinge any such Robbery or Spoile shall

within the tyme lymitted by such Proclamaçon make full restituçon or satisfacçon of all such iniuries done or committed Soe as the said Prince or others soe complayneing may bee fully satisfied and contented And if the said Person or Persons whoe shall committ any such Robbery or Spoile shall not make satisfacçon accordingly within such tyme soe to bee lymitted That then itt shall and may bee lawfull for vs our heires and Successors to putt such Person or Persons out of our Allegiance and Protecçon And that it shall and may bee lawfull and free for all Princes or others to Profecute with hostility such Offenders and every of them their and every of their Procurers ayders Abettors and Councillors in that behalfe Provided alfoe, and our expresse will and pleasure is And Wee doe by these presents for vs our heires and Successors Ordeyne and appointe that these presents shall not in any manner hinder any of our loveing Subiects whatsoever to vse and exercise the Trade of Fishing vpon the Coast of New England in America but they and every or any of them shall have full and free power and liberty to contynue and vse the said Trade of Fishing vpon the said Coast in any of the Seas therevnto adioyning or any Armes of the Seas or Salt Water Rivers where they have byn accustomed to Fish And to build and sett vpon the waft land belonging to the said Colony of Conecticut such Wharfes Stages and workehouses as shall bee necessary for the Salting dryeing and keeping of their Fish to bee taken or gotten vpon that Coast any thing in these presents conteyned to the contrary notwithstanding And knowe yee further That Wee of our more abundant grace certaine knowledge and meere moçon have given Graunted and Confirmed And by theis presents for vs our heires and Successors Doe give Graunt and Confirme vnto the said Governor and Company and their Successors All that

parte of our Dominions in Newe England in America bounded on the East by Norrogancett Riuer comonly called Norrogancett Bay where the said Riuer falleth into the Sea, and on the North by the Lyne of the Massachusetts Plantation and on the South by the Sea, and in longitude as the Lyne of the Massachusetts Colony runing from East to West that is to say, from the said Narrogancett Bay on the East to the South Sea on the West parte with the Ilands therevnto adjoyneinge Together with all firme lands Soyles Grounds Havens Ports Rivers Waters Fishings Mynes Myneralls Precious Stones Quarries and all and singuler other Comodities Jurisdiccōns Royalties Priviledges Francheses Preheminences and hereditaments whatsoever within the said Tract Bounds lands and Ilands aforefaid or to them or any of them belonging To have and to hold the same vnto the said Governor and Company their Successors and Assignes, for ever vpon Trust and for the vse and benefitt of themselves and their Associates freemen of the said Colony their heires and Assignes To bee holden of vs our heires and Successors, as of our Mannor of East Greenwich in Free and Comon Soccage and not in Capite nor by Knights Service Yeilding and Payinge therefore to vs our heires and Successors onely the Fifth parte of all the Oare of Gold and Silver which from tyme to tyme and att all tymes hereafter shall bee there gotten had or obteyned in lieu of all Services Dutyes and Demaunds whatsoever to bee to vs our heires or Successors therefore or thereout rendered made or paid And lastly Wee doe for vs our heires and Successors Graunt to the said Governor and Company and their Successors by these presents that these our Letters Patent shall bee firme good and effectuall in the lawe to all intents Construcōns and purposes whatsoever accordinge to our true intent and meaneing

herein before Declared as shall bee Construed reputed and adiudged most favourable on the behalfe and for the best benefitt and behoofe of the said Governor and Company and their Successors Although Expresse mention of the true yearely value or certeinty of the premiffes or of any of them or of any other Guifts or Graunts by vs or by any of our Progenitors or Predecessors heretofore made to the said Governor and Company of the English Colony of Conecticut in New England in America aforefaid in theis presents is not made or any Statute Act Ordinance Provision Proclamaçon or Restricçon heretofore had made Enacted Ordeyned or Provided or any other matter Cause or thinge whatsoever to the contrary thereof in any wise notwithstanding In Witnes whereof wee have caused these our letters to bee made Patent Witnes our Selfe att Westminster the Three and Twentieth day of Aprill in the Fowerteenth yeare of our Reigne.

By writt of Privy Seale

HOWARD

