

Penn's Charter of Libertie - April 25, 1682

Historical Background of Document:

It was George Fox, not William Penn who first had the idea to establish a colony in America as a refuge for persecuted Quakers. Fox was an Englishman, the founder of the Quakers, and he had a strong passion for God.

The Quakers refused to pay taxes to carry on wars, and they met with great opposition for their beliefs. Their meetings were often broken up by government authorities and an act of Parliament pronounced them a "mischievous and dangerous people." It was not long until the Quakers, driven by persecution, began to migrate to America. Their reception in Massachusetts and elsewhere was anything but cordial, and this led them to turn their attention to founding a colony of their own. When William Penn, the son of Admiral Penn, a personal friend of the king, became an open convert to the Quaker faith, the small sect of believers became elated. The admiral, who initially was upset with his son's beliefs', soon forgave him, and William Penn became the most prominent Quaker in England.

The king of England owed Admiral Penn the sum of £16,000, and William Penn inherited the claim upon his father's death. At Penn's request King Charles granted him, in payment of this claim, a tract of forty thousand square miles in America. In the petition to the king, dated June, 1680, Penn asked for the territory west of the Delaware River and from the northern boundary of Maryland to the north "as far as plantable, which is altogether Indian." It was the largest grant ever made to one man in America. The charter was granted the following March. Penn had chosen the name New Wales for his province, but the king called it Pennsylvania in memory of the deceased admiral.

Text of Document:

To ALL PEOPLE to whom these presents shall come WHEREAS King Charles the second by his Letters, Patents under the Great Seal of England for the Considerations therein mentioned hath been graciously pleased to give and grant unto me William Penn (By the name of William Penn Esq'r son and heir of Sr. William Penn deceased) and to my heirs and assigns forever ALL that tract of land or province called PENNSILVANIA in America with divers Great Powers Preheminencies Royalties Jurisdictions and Authorities necessary for the Well being and Government thereof NOW KNOW YE That

for the Welll Being and Government of the said Province and for the Encouragement of all the Freeman and Planters that may be therein concerned in pursuance of the powers afore mentond I the said William Penn have declared Granted and Confirmed and by these presents for me my heirs and Assigns do declare grant and Confirm unto all the ffreemen Planters and Adventurers of in and to the said Province those Liberties Franchises and properties TO BE HEED Enjoyed and Kept by the Freeman Planters and Inhabitants of and in the said province of Pennsylvania forever.

" IMPRIMIS "-THAT the Government of this Province shall according to the Powers of the Patent consist of the Governour and Freeman of the said Province in the fform of a Provincial Council and General Assembly by whom all Laws Shall be made Officers Chosen and publick affairs Transacted and is hereafter Respectively declared That is to say

2. THAT the freemen of the said Province shall on the Twentieth day of the Twelfth Month which shall be in this present year One Thousand Six hundred Eighty and two Meet and Assemble in some fit place of which timely notice shall be beforehand given by the Governour or his deputies and then and there shall chuse of themselvs Seventy-Two persons of most note for their Wisdom Virtue and Ability who shall meet on the Tenth day of the ffirst month next ensuing and always be called and act as the Provincial Council of the said province.

3. THAT at the First Choice of such Provincial Council One Third part of the said Provincial Council shall be Chosen to serve for Three years then next ensuing one Third part for Two years then next ensuing and one Third part for one year then next following such Election and no longer and that the said Third part shall go out accordingly And on the Twentieth day of the Twelfth month aforesaid yearly forever afterward the ffreemen of the said province shall in like manner Meet and Assemble together and then Chuse Twenty flour persons being one Third of the said Number to serve in provincial Council for Three years it being intended that one Third of the whole provincial Council (always consisting and to consist of seventy two persons as aforesaid) falling off yearly it shall be yearly supplied by such new yearly Eleccons as aforesaid and that no one person shall continue therein longer than Three years And in Case any member shall decease before the Last Elecon during his time that then at the next Elecon ensuing his decease another shall be chosen to Supply his place for the remaining time he was to have served and no longer.

4. THAT-After the First Seven Years every one of the said Third parts that goeth yearly off shall be incapable of being Chosen again for one whole year following that so all may be fitted for the Government and have Experience of the Care and burthen of it.

5. THAT-In the provincial Council in all Cases and matters of moment as There agreeing upon Bills to be passed into Laws Exorting Courts of Justice having Judgment upon criminals Impeached and choice of Officers in such manner as is herein after menconed Not lesse than Two Thirds of the whole Provincial Council shall make a Quorum and that the Consent and approbaton of Two Thirds of said Quorum shall be had in all such Cases or matters of Moment. And moreover that in all cases and matters of lesser moment Twenty-ffour members of the said Provincial Council shall make a quorum The Majority of which flour and Twenty shall and may always determine on such Cases and Causes of Lesser moment.

6. THAT-In this Provincial Council the Governour or his deputies shall or may always preside and have a treble Voice. And the said Provincial Council shall always Continue and Sit upon its own Adjournments and Committees.

7. THAT-The Governour and Provincial Council shall prepare and propose to the General Assembly hereinafter menconed all Bills which they shall at any time think fit to be past into Laws within the said Province which Bills shall be publish" and Affixed to the most noted places in the inhabited parts thereof Thirty days before the meeting of the General Assembly in order to the passing of them into laws or Rejecting of them as the General Assembly shall see meet.

8. THAT-The Governour and Provincial Council shall take Care that all Laws Statutes and Ordinances which shall at any time be made within the said Province be duly and diligently executed.

9. THAT-The Governour and Provincial Council shall at all times have the Care of the peace and Safety of the Province and that nothing he by any person Attempted to the subversion of this Frame of Government.

10. THAT-The Governour and Provincial Council shall at all times settle and order the Situation of all Cities ports and Market towns in every County modelling therein all publick buildings Streets and Market places and shall appoint all necessary roads and highways in the province.

11. THAT-The Governour and Provincial Council shall at all times have power to inspect the management of the public Treasury and punish those who shall Convert any

part thereof to any other use than what hath been Agreed upon by the Governour Provincial Council and General Assembly.

12. THAT-The Governour and Provincial Council shall Erect and order all publick Schools and incourage and Reward the Authors of usefull Science and Laudable Inventons in the said province.

13. THAT-For the better management of the powers and Trust aforesaid the Provincial Council shall from time to time divide itself into flour Distinct and proper Committees for the more Easie Administration of the Affairs of the province which divides the Seventy Two into flour Eighteens Every one of which Eighteens shall consist of Six out of each of the Three Orders or yearly Elecons-Each of which shall have a distinct portion of business as followeth A Committee of plantatons to situate and settle cities ports and Market-towns and highways and to hear and decide all Suits and Controversies relating to Plantatons. A Committee of Justice and Safety to secure the peace of the province and punish the Male [mat-] Administration of those who subvert Justice to the prejudice of the publick and private Interest. A Committee of Trade and Treasury who Shall Regulate all Trade and Commerce according to Laws encourage Manufacture and Country-growth and defray the publick Charge of the province. And a Committee of manners Education and Arts that all Wicked and scandalous Living may be prevented and that Youth may be successively trained up in Virtue and useful Knowlledge and Arts. The Quorum of each of which Committees being six that is Two out of each of the three orders or yearly elecons as aforesaid make a Constant or Standing Council of Four and Twenty which shall have the power of the Provincial Council being the Quorum of it in all Cases not excepted in the fffifth Article. And in the said committees and standing Council of the Province the Governour or his deputy shall or may preside as aforesaid. And in the Absence of the Governour or his deputy if no one is by either of them appointed the said Committees or Council shall appoint a President for that time and not otherwise and what shall be Resolved at such Committees shall be reported to the said Council of the Province and shall be by them resolved and confirmed before the same shall be put in Execution And that these Respective Committees shall not sit at one and the same time except in Cases of necessity.

14. AND TO THE End that all Laws prepared by the Governour and Provincial Council aforesaid may yet have the more-full Concurrence of the Freemen of the Province It is declared granted and confirmed that at the time and place or places for the Choice of a Provincial Council as aforesaid the said FREEMEN shall yearly chuse to serve in a General Assembly as their representatives not exceeding Two hundred persons who shall yearly meet on the Twentieth day of the Second Month in the Capital Town or

City of the said province where during Eight days the several members may freely confer with one another and if any of them see meet with a Committee of the Provincial Council consisting of Three out of each of the four Committees aforesaid being Twelve in all which shall be at that time purposely appointed to secur from any of them proposals for the Alteration or Amendment of any of the said proposed and promulgated Bills and on the ninth day from their meeting the said General Assembly after the reading over of the proposed Bills by the Clerk of the Provincial Council and the occasion and motives for them being opened by the Governour or his Deputy shall give their Affirmative or Negative which, to them seemeth best in such manner as hereafter is express. But not less than two thirds shall make a Quorum in the passing of Laws and Choice of such Officers as are by them to be chosen.

15. THAT-The Laws so prepared and proposed as aforesaid that are Assented to by the General Assembly shall be Enrolled as Laws of the province with this stile by the Governour with the Assent and Approbation of the ffreemen in Provincial Council and General Assembly.

16. THAT-For the better Establishment of the Government and Laws of this province and to the end there may be an Universal Satisfaction in the laying of the ffundamentals thereof the General Assembly shall or may for the ffirst year consist of all the ffreemen of and in the said province and ever after it shall be yearly chosen as aforesaid. Which number of Two hundred shall be enlarged as the Country shall Increase in people So as it do not exceed dive hundred at any time The Appointment and proportoning of which as also the laying and methodizing of the choice of the Provincial Council and General Assembly in future times most equally to the Division of the Hundreds and Counties which the Country shall hereafter be divided into shall be in the power of the Provincial Council to propose and the General Assembly to resolve.

17. THAT The Governour and the Provincial Council shall from time to time erect Standing Courts of Justice in such places and number as they shall Judge Convenient for the good Government of the said province And that the Provincial Council shall on the Thirteenth day of the First month yearly Elect and present to the Governour or his Deputy a double number of persons to serve for Judges Treasurers Masters of the Rolls within the said province for the year next ensuing. AND the ffreemen of the said province in their County Courts when they shall be erected and till then in the General Assembly shall on the Three and Twentieth day of the Second Month yearly Elect and present to the Governour or his Deputy a double number of persons to serve for Sheriffs Justices of peace and Coronors for the year next ensuing Out of which respective Elecons and presentments the Governour or his Deputy shall nominate and Commissionate the proper

number for each office the Third day after the said respective presentments or else the first named in such presentment for each office shall stand and serve for that office the year ensuing.

18. BUT for as much as the present Conditon of the Province requires some Immediate Settlement and admitts not of so quick a Revoluton of Officers and to the end the said Province may with all Convenient speed be well ordered and settled I William Penn do therefore think fit to nominate and appoint Such persons for Judges Treasurers Masters of Rolls Sheriffs Justices of the peace and Coronors as are most fitly qualified for those imployments To whom I shall make and grant Commissions for the said Offices respectively TO nod to them to whom the same shall be granted for so long time as every such person shall well behave himself in the Office or place to him respectively granted and no longer And upon the Decease or displacing of any of the said Officers the Succeeding Officer or Officers shall be chosen as before said.

19. That the General Assembly shall continue so long as may be needful to Impeach Criminals fit to be there Impeached To pass Bills into Laws that they shall think fit to pass into Laws and till such time as the Governour and Provincial Council shall declare that they have nothing further to propose unto them for their Assent and Approbation And that Declaration shall be a Dismiss to the General Assembly for that time Which General Assembly shall be notwithstanding Capable of Assembling together upon the summons of the Provincial Council at any time during that year if the said Provincial Council shall see occasion for their so Assembling.

20. THAT-All the Elecons of Members or Representatives of the people to serve in Provincial Council and General Assembly, and all Questions to be determined by both or either of them that relate to passing of bills into Laws to the choice of Officers to Impeachments made by the General Assembly and Judgment of Criminals upon such Impeachment by the Provincial Council and to all other Cases by them respectively Judged of Importance Shall be resolved and determined by the BALLOTT And unless on suddain and Indispensable Occasions no business in Provincial Council or its respective Committees shall be finally determined the same day that it is moved.

21. AND THAT at all times when and so often as it shall happen that the Governour shall or may be an Infant under the Age of one and Twenty years and no Guardians or Commissioners are appointed in Writing by the dasher of said Infant or that Such Guardians or Commissioners shall be deceased that during such Minority the Provincial Council shall from time to time as they shall see meet Constitute and Appoint Guardians and Commissions not exceeding Three One of which Three shall preside as Deputy and

Chief Guardian during such Minority and shall have and Execute with the consent of the other Two all the powers of a Governour in all publick Affairs and Concerns of the said province.

22. THAT-as often as any day of the month mentoned in any Article of this Charter shall fall on the First day of the Week commonly called the Lord's day the Business appointed for that day shall be differred till the next day unless in Case of Emergency.

23. THAT-no act Law or Ordinance whatsoever shall at any time hereafter be made or done by the Governour of this Province his heirs or Assigns or by the ffreemen in the Provincial Council or the General Assembly to Alter Change or Diminish the dorm or Effect of this Charter or any part or Clause thereof or contrary to the true Intent and meaning thereof without the Consent of the Governour his heirs or Assigns and six parts of seven of the said ffreemen in Provincial Council and General Assembly.

24. AND LASTLY THAT I the said William Penn for myself my heirs and Assigns have Solemnly declared granted and confirmed and do hereby solemnly declare grant and confirm that neither I my heirs nor Assigns shall procure or do anything or things w hereby the liberties in this Charter contained and expressed shall be Infringed or broken And if anything be procured by any person or persons contrary to these premises it shall be held of no force or Effect. IN WITNESS whereof I the said William Penn have unto this present Charter of Liberties Set my hand and Broad Seal this ffive and Twentieth day of the Second Month vulgarly called April in the year of our Lord One Thousand Six Hundred Eighty and Two.

WM, PENN.

Signed sealed and delivered by the within named William Penn as his Act and Deed in the presence of

CHRISTOPHER TAYLOR

CHARLES LLOYD

WILLIAM GIBSON

RICHARD DAVIES

N. MOORE

THO. RUDYARD

HARB. SPRINGETT

JAMES CLAYPOOLE

FRANS PLUMSTED

THOMAS BARKER

PHILIP FORD

EDWARD PRITCHARD

ANDREW SOWLE