

## THE FRAME OF THE GOVERNMENT

*Of the Province of Pennsylvania, in America; together with certain laws in England, by the Governor and divers freemen of the aforesaid Province. To be further explained and confirmed there by the first Provincial Council that shall be held, if they see meet.*

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### The Preface.

When the great and wise God had made the world, of all his creatures it pleased him to choose man his deputy to rule it; and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use them justly. This native goodness was equally his honour and his happiness, and whilst he stood here, all went well; there was no need of coercive or compulsive means; the precept of divine love and truth in his bosom was the guide and keeper of his innocency. But lust prevailing against duty, made a lamentable breach upon it; and the law, that before had no power over him, took place upon him and his disobedient posterity, that such as would not live conformable to the holy law within, should fall under the reproof and correction, of the just law without, in a judicial administration. Preface.

This the apostle teaches us in divers of his epistles. The law (says he) was added because of transgression: In another place, knowing that the law was not made for the righteous man; but for the disobedient and ungodly, for sinners, for unholy and prophan, for murderers, for whoremongers, for them that defile themselves with mankind, and for men-stealers, for liars, for perjured persons, &c. But this is not all, he opens and carries the matter of government a little further: Let every soul be subject to the higher powers, for there is no power but of God. The powers that be are ordained of God. whosoever therefore resisteth the power, resisteth the ordinance of God. For rulers are not a terror to good works, but to Evil: wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same.—He is the minister of God to thee for good.—Wherefore ye must needs be subject, not only for wrath, but for conscience sake.

\*See in Appendix the conditions and concessions agreed upon by William Penn and the adventurers and purchasers in the Province.

## Preface.

This settles the divine right of government beyond exception, and that for two ends; first, to terrify evil-doers; secondly, to cherish those that do well; which gives government a life beyond corruption, and makes it as durable in the world, as good men shall be. So that government seems to me a part of religion itself, a thing sacred in its institution and end. For if it does not directly remove the cause, it crushes the effects of evil, and is as such (tho' a lower yet) an emanation of the same Divine Power, that is both author and object of pure religion; the difference lying here, that the one is more free and mental, the other more corporal and compulsive in its operations: but that is only to evil-doers; government itself being otherwise as capable of kindness, goodness and charity, as a more private society. They weekly err, that think there is no other use of government than correction, which is the coarsest part of it: daily experience tells us, that the care and regulation of many other affairs more soft and daily necessary, make up much the greatest part of government; and which must have followed the peopling of the world, had Adam never fell, and will continue among men on earth under the highest attainments they may arrive at, by the coming of the blessed second Adam, the Lord from Heaven. Thus much of government in general, as to its rise and end.

For particular frames and models, it will become me to say little; and comparatively I will say nothing. My reasons are: first, that the age is too nice and difficult for it; there being nothing the wits of men are more busy and divided upon. 'Tis true, they seem to agree in the end, to wit, happiness; but in the means they differ, as to divine, so to this human felicity; and the cause is much the same, not always want of light and knowledge, but want of using them rightly. Men side with their passions against their reason, and their sinister interests have so strong a bias upon their minds, that they lean to them against the good of the things they know.

Secondly, I do not find a model in the world, that time, place, and some singular emergences have not necessarily altered; nor is it easy to frame a civil government, that shall serve all places alike.

Thirdly, I know what is said by the several admirers of monarchy, aristocracy and democracy, which are the rule of one, a few, and many, and are the three common ideas of government, when men discourse on that subject. But I choose to solve the controversy with this small distinction, and it belongs to all three; any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, and confusion.

But lastly, when all is said, there is hardly one frame of government in the world so ill designed by its first founders, that in good hands would not do well enough; and story tells us, the best in ill ones can do nothing that is great or good; witness the Jewish and Roman states. Governments, like clocks, go from the motion men give them, and as govern-

ments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let the government be never so good, they will endeavour to warp and spoil to their turn. Preface.

I know some say, let us have good laws, and no matter for the men that execute them: but let them consider, that though good laws do well, good men do better; for good laws may want good men, and be abolished or invaded by ill men; but good men will never want good laws, nor suffer ill ones. 'Tis true, good laws have some awe upon ill ministers, but that is where they have not power to escape or abolish them, and the people are generally wise and good: but a loose and depraved people (which is to the question) love laws and an administration like themselves. That therefore, which makes a good constitution, must keep it, viz: men of wisdom and virtue, qualities that because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth, for which after ages will owe more to the care and prudence of founders, and the successive magistracy, than to their parents for their private patrimonies.

These considerations of the weight of government, and the nice and various opinions about it, made it uneasy to me to think of publishing the ensuing frame and conditional laws, foreseeing both the censures they will meet with from men of differing humours and engagements, and the occasion they may give of discourse beyond my design.

But next to the power of necessity (which is a solicitor that will take no denial) this induced me to a compliance, that we have (with reverence to God, and good conscience to men) to the best of our skill, contrived and composed the **FRAME** and **LAWS** of this government, to the great end of all government, viz: to support power in reverence with the people, and to secure the people from the abuse of power; that they may be free by their just obedience, and the magistrates honourable for their just administration: for liberty without obedience is confusion, and obedience without liberty is slavery. To carry this evenness is partly owing to the constitution, and partly to the magistracy; where either of these fail, government will be subject to convulsions; but where both are wanting, it must be totally subverted: then where both meet, the government is like to endure. Which I humbly pray and hope God will please to make the lot of this of Pennsylvania. Amen.

WILLIAM PENN.

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**The Frame.**

**TO ALL PEOPLE**, to whom these presents shall come. **WHEREAS** king Charles the second, by his letters patent, under the great seal of England; for the consideration therein mentioned, hath been graciously pleased to give and grant unto me William Penn (by the name of William Penn, Esq

- son and heir of Sir William Penn, deceased) and to my heirs and assigns forever, all that tract of land or province, called Pennsylvania, in America, with divers great powers, pre-eminences, royalties, jurisdictions, and authorities, necessary for the well-being and government thereof: NOW KNOW YE, that for the well-being and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned, in pursuance of the powers aforementioned, I the said William Penn have declared, granted, and confirmed, and by these presents, for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province, these liberties, franchises, and properties, to be held, enjoyed and kept by the freemen, planters and inhabitants of the said province of Pennsylvania for ever.
- Certain liberties, franchises and properties, granted.**
- Government, of what to consist.** *Imp. iis.* That the government of this province shall, according to the powers of the patent, consist of the Governor and freemen of the said province, in form of a Provincial Council and General Assembly, by whom all laws shall be made, officers chosen, and publick affairs transacted, as is hereafter respectively declared. That is to say,
- Council, election and meeting of.** Second. That the freemen of the said province shall, on the twentieth day of the twelfth month, which shall be in this present year, one thousand six hundred eighty and two, meet and assemble in some fit place, of which timely notice shall be beforehand given, by the governor or his deputy, and then and there shall choose out of themselves seventy-two persons of most note for their wisdom, virtue and ability, who shall meet on the tenth day of the first month next ensuing, and always be called and act as the Provincial Council of the said province.
- Terms of members.** Third. 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 next ensuing; one-third part for two years then next ensuing, and one-third part for one year then next following such election, and no longer; and that the said third part shall go out accordingly. And on the twentieth day of the twelfth month as aforesaid, yearly for ever afterward, the freemen of the said province shall in like manner meet and assemble together, and then chuse twenty four persons, being one third of the said number, to serve in Provincial Council for three years. It being intended, that one third part of the whole Provincial Council (always consisting and to consist of seventy two persons, as aforesaid) falling off yearly, it shall be yearly supplied by such new yearly elections, as aforesaid; and that no one person shall continue therein longer than three years: and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.
- Vacancies.** Fourth. 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
- One third to be chosen annually.**
- Not to be chosen for two terms in succession.**

may be fitted for government, and have experience of the care and burden of it.

Fifth. That the Provincial Council in all cases of matters of moment, as their arguing upon bills to be passed into laws, erecting courts of justice, giving judgment upon criminals impeached, and choice of officers, in such manner as is herein after mentioned; not less than two thirds of the whole Provincial Council shall make a quorum; and that the consent and approbation of two thirds of such quorum shall be had in all such cases and matters of moment. And moreover, that in all cases and matters of lesser moment, twenty-four members of the said Provincial Council shall make a quorum, the majority of which twenty-four shall and may always determine in such cases and causes of lesser moment.

Sixth. That in this Provincial Council, the governor or his deputy shall or may always preside, and have a treble voice; and the said Provincial Council shall always continue, and sit upon its own adjournments and committees.

Seventh. That the governor and Provincial Council shall prepare and propose to the General Assembly hereafter mentioned, all bills which they shall at any time think fit to be passed into laws within the said province; which bills shall be published and affixed to the most noted places in the inhabited parts thereof thirty days before the meeting of the General Assembly, in order to the passing them into laws or rejecting of them, as the General Assembly shall see meet.

Eighth. That the governor and Provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province, be duly and diligently executed.

Ninth. That the governor and Provincial Council shall at all times have the care of the peace and safety of the province, and that nothing be by any person attempted to the subversion of this frame of government.

Tenth. That the governor and Provincial Council shall at all times settle and order the situation of all cities, ports and market towns in every county, modelling therein all public buildings, streets, and market places, and shall appoint all necessary roads and highways in the province.

Eleventh. That the governor and Provincial Council shall at all times have power to inspect the management of the publick treasury, and punish those who shall convert any part thereof to any other use, than what hath been agreed upon by the governor, Provincial Council and General Assembly.

Twelfth. That the governor and Provincial Council shall erect and order all publick schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province.

Thirteenth. That for the better management of the powers and trust aforesaid, the Provincial Council shall from time to time divide itself into four distinct and proper committees, for the more easy administration of the affairs of the province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of each of the three orders or yearly elections, each of which shall have a distinct

Quorum.

Presiding officer.  
Council to always continue.

Bills, preparation and publication of.

Execution of laws.

Peace and safety of province.

Location of cities, ports, and towns.

Roads and highways.

Management of public treasury.

Schools.

Council to divide itself into four committees.

Committee of plantations.

Committee of justice and safety.

Committee of trade and treasury.

Committee of manners, education, and arts.

Quorum.

Powers.

President.

Resolutions.

Sittings.

General assembly, election of members of.

Meetings.

Passing of laws.

portion of business, as followeth: first, a committee of plantations, to situate and settle cities, ports, market-towns and high-ways, and to hear and decide all suits and controversies relating to plantations. Secondly, a committee of justice and safety, to secure the peace of the province, and punish the male-administration of those who subvert justice to the prejudice of the publick or private interest. Thirdly, a committee of trade and treasury, who shall regulate all trade and commerce according to law, encourage manufacture and country growth, and defray the publick charge of the province. And fourthly, a committee of manners, education, and arts, that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts: the quorum of each of which committees being six, that is, two out of each of the three orders or yearly elections as aforesaid, making a constant and standing council of twenty-four, which will have the power of the Provincial Council, being the quorum of it, in all cases not excepted in the fifth article; and in the said committees and standing Council of the province, the governor or his deputy shall or may preside as aforesaid; and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees or Council, shall appoint a president for that time, and not otherwise; and what shall be resolved at such committee, 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.

Fourteenth. And to the end that all laws prepared by the governor and provincial Council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted, and confirmed, that at the time and place or places for the choice of a Provincial Council as aforesaid, the said freemen shall yearly choose members to serve in General Assembly as their representatives, not exceeding two hundred persons, who shall yearly meet on the twentieth day of the second month, which shall be in the year one thousand six hundred eighty and three following, in the capital town, or city of the said province, where during eight days the several members may freely confer with one another; and, if any of them see meet, with a committee of the Provincial Council (consisting of three out of each of the four committees aforesaid, being twelve in all) which shall be at that time purposely appointed to receive from any of them proposals for the alteration or amendment of any of the said proposed and promulgated bills; and on the ninth day from their so meeting, the said General Assembly, after reading over the proposed bills by the clerk of the Provincial Council, and the occasion and motives for them being opened by the governor or his deputy, shall give their affirmative or negative, which to them seemeth best, in such manner as hereinafter is expressed. 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.

Fifteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the General Assembly, shall be enrolled as laws of the province, with this stile: *By the Governor, with the assent and approbation of the freemen in Provincial Council and General Assembly.* /

Enrollment of laws.

Sixteenth. That for the better establishment of the Government and laws of this province, and to the end there may be an universal satisfaction in the laying of the fundamentals thereof; the General Assembly shall or may for the first year consist of all the freemen of and in 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 five hundred at any time; the appointment and proportioning of which, as also the laying and methodizing of the choice of the Provincial Council and General Assembly in future times, most equally to the divisions of the hundreds and counties, which the country shall hereafter be divided into; shall be in the power of the Provincial Council to propose, and the General Assembly to resolve.

Number of members of general assembly.

Appointment, proportioning, and choice of council and assembly.

Seventeenth. That the Governor and the Provincial Council shall erect, from time to time, standing courts of justice in such places and number as they shall judge convenient for the good government of the said province. And that the Provincial Council shall, on the thirteenth day of the first month yearly, elect and present to the governor or his deputy, a double number of persons to serve for judges, treasurers, master of rolls, within the said province for the year next ensuing; and the freemen of the said province in the county courts, when they shall be erected, and till then in the General Assembly shall, on the three and twentieth day of the second month yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the peace, and coroners, for the year next ensuing; out of which respective elections and presentments, the governor or his deputy shall nominate and commissionate the proper number for each office the third day after the said presentments; or else the first named in such presentment for each office, shall stand and serve for that office the year ensuing.

Courts.

Judges, treasurers, and masters of rolls.

Sheriffs, justices of peace, and coroners.

Eighteenth. But forasmuch as the present condition of the province requires some immediate settlement, and admits not of so quick a revolution of officers; and to the end the said province may, with all convenient speed, be well ordered and settled, I, William Penn, do therefore think fit, to nominate and appoint such persons for judges, treasurers, masters of the rolls, sheriffs, justices of the peace, and coroners, as are most fitly qualified for those employments; to whom I shall make and grant commissions for the said offices respectively, to hold to them to whom the same shall be granted, for so long time as every such person shall well behave himself in the office or place to him respectively granted, and no longer. And upon the decease or displacing of any of the said officers, the succeeding officer or officers shall be chosen as aforesaid.

Proprietary to appoint officers.

How long general assembly to continue.

Nineteenth. That the General Assembly shall continue so long as may be needful to impeach criminals fit to be there impeached; to pass bills into laws, that they shall think fit to pass into laws, and till such time as the governor and Provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation; and that declaration shall be a dismiss to the General Assembly for that time, which General Assembly shall be notwithstanding capable of assembling together, upon the summons of the Provincial Council, at any time during that year, if the said Provincial Council shall see occasion for their so assembling.

Elections of members of council and assembly, to be by ballot.

Twentieth. That all the elections of members or representatives of the people, to serve in Provincial Council and General Assembly, and all questions to be determined by both or either of them, that relate to passing of bills into laws, to the choice of officers, to impeachments made by the General Assembly, and judgment of criminals upon such impeachments by the Provincial Council, and to all other cases by them respectively judged of importance, shall be resolved and determined by the ballot; and, unless on sudden and indispensable occasions, no business in Provisional Council or its respective committees, shall be finally determined the same day that it is moved.

Also, determination of questions.

No business to be finally determined on day introduced.

Appointment of guardians where governor a minor.

Twenty-first. That at all times, when and so often as it shall happen, that the Governor shall or may be an infant, under the age of one and twenty years, and no guardjans or commissioners are appointed in writing by the father of the 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 or commissioners, not exceeding three; one of which three shall preside as deputy and chief guardian, during such minority, and shall have and execute, with the consent of the other two, all the power of a governor, in all the public affairs and concerns of the said province.

No business to be transacted on Sunday.

Twenty-second. That as often as any day of the month, mentioned in any article of this charter, shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day, shall be deferred till next day, unless in case of emergency.

Alteration of charter.

Twenty-third. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done, by the governor of this province, his heirs or assigns, or by the freemen in the Provincial Council or the General Assembly, to alter, change or diminish the form or effect of this charter, or any part or clause thereof, without the consent of the governor, his heirs or assigns, and six parts of seven of the said freemen in Provincial Council, and General Assembly.

Liberties contained in charter, not to be infringed.

And lastly. That I the said William Penn, for myself, my heirs, and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things, whereby the liberties in this charter



contained and expressed, shall be infringed or broken; and if any thing be procured by any person or persons contrary to these premises, it shall be held of no force or effect. In Witness whereof, I the said William Penn have unto this present charter of liberties, set my hand and broad seal, this five and twentieth day of the second month, vulgarly called April, in the year of our Lord, one thousand six hundred and eighty-two.

WILLIAM PENN.

### LAWS AGREED UPON IN ENGLAND.

First. That the charter of liberties, declared, granted and confirmed, the five and twentieth day of the second month, called April, 1682, before divers witnesses by William Penn, governor and chief proprietary of Pennsylvania, to all the freemen and planters of the said province, is hereby declared and approved, and shall be forever held for fundamental, in the government thereof, according to the limitations mentioned in the said charter.

Royal charter, declared and approved.

Second. That every Inhabitant in the said province, that is or shall be a purchaser of one hundred acres of land or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person that hath been a servant or bondsman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artificer, or other resident in the said province, that pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such person shall and may be capable of electing or being elected representatives of the people in Provincial Council or General Assembly in the said province.

Freemen, de-  
sued.

May elect and be  
elected repre-  
sentatives of peo-  
ple.

Third. That all elections of members or representatives of the people and freemen of the province of Pennsylvania, to serve in Provincial Council or General Assembly, to be held within the said province, shall be free and voluntary; and that the elector that shall receive any reward or gift, in meat, drink, monies or otherwise, shall forfeit his right to elect; and such person as shall, directly or indirectly, give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid. And the Provincial Council and General Assembly shall be the sole judges of the regularity or irregularity of the elections of their own respective members.

Elections to be  
free.

Forfeiture of  
right to elect and  
election.

Council and as-  
sembly, the  
judges of election  
of their members.

Fourth. That no money or goods shall be raised upon, or paid by any of the people of this province, by way of a publick tax, custom or contribution, but by a law for that purpose made; and whosoever shall levy, collect or pay any money or goods contrary thereunto, shall be held a publick

No moneys to be  
collected or paid,  
except in pursu-  
ance of law.

enemy to the province, and a betrayer of the liberties of the people thereof.

- Courts to be open, and justice free.** Fifth. That all courts shall be open, and justice shall neither be sold, denied or delayed.
- All persons may appear, and plead in person or by friends.** Sixth. That in all courts all persons of all persuasions may freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friends. And the first process shall be the exhibition of the complaint in court, fourteen days before the trial; and that the party complained against may be fitted for the same, he or she shall be summoned no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling house. But before the complaint of any person be received, he shall solemnly declare in court, that he believes in his conscience his cause is just.
- First process.**
- Service of summons.** Seventh. That all pleadings, processes, and records in courts, shall be short, and in english, and in an ordinary and plain character, that they may be understood, and justice speedily administered.
- Oath of justness of cause.** Eighth. That all trials shall be by twelve men, and as near as may be peers, or equals, and of the neighborhood, and men without just exception. In cases of life, there shall be first twenty-four returned by the sheriff for a grand inquest, of whom twelve at least shall find the complaint to be true; and then the twelve men or peers, to be likewise returned by the sheriff shall have the final judgment. But reasonable challenges shall be always admitted against the said twelve men or any of them.
- Pleadings, process and records.**
- Trial by jury.** Ninth. That all fees in all cases shall be moderate, and settled by the Provincial Council and General Assembly, and be hung up in a table in every respective court; and whosoever shall be convicted of taking more, shall pay two-fold, and be dismissed his employment, one moiety of which shall go to the party wronged.
- Challenges.** Tenth. That all prisons shall be workhouses for felons, vagrants, and loose and idle persons; whereof one shall be in every county.
- Fees.** Eleventh. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great.
- Prisons.** Twelfth. That all persons wrongfully imprisoned or prosecuted at law, shall have double damages against the informer or prosecutor.
- Prisoners bailable.** Thirteenth. That all prisons shall be free, as to fees, food, and lodging.
- Damages for unjust imprisonment or prosecution.** Fourteenth. That all lands and goods shall be liable to pay debts, except where there is legal issue, and then all the goods, and one third of the land only.
- Prisons to be free.** Fifteenth. That all wills and writing attested by two witnesses, shall be of the same force, as to lands as other conveyances, being legally proved within forty days, either within or without the said province.
- Lands and goods, liable for debts.** Sixteenth. That seven years quiet possession shall give
- Force of certain wills and writings.**

an unquestionable right, except in cases of infants, lunaticks, married women, or persons beyond the seas.

Seven years quiet possession, to give unquestionable right. Briberies and extortions, to be punished. Fines.

Seventeenth. That all briberies and extortions whatsoever, shall be severely punished.

Eighteenth. That all fines shall be moderate, and saving mens contentements, merchandize or wainage.

Nineteenth. That all marriages (not forbidden by the law of God, as to nearness of blood and affinity by marriage) shall be encouraged; but the parents or guardians shall be first consulted, and the marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as husband and wife, before credible witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of that county, and shall be registered in his office.

Marriages.

Twentieth. And to prevent frauds and vexatious suits within the said province, that all charters, gifts, grants and conveyances of land, (except leases for a year or under) and all bills, bonds, and specialties have five pounds, and not under three months, made in the said province, shall be enrolled or registered in the public enrolment office of the said province within the space of two months next after the making thereof, else to be void in law. And all deeds, grants, and conveyances of land (except as aforesaid) within the said province, and made out of the said province, shall be inrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an enrolment office or registry within the said province, else to be void in law against all persons whatsoever.

Grants, conveyances, &c., to be enrolled.

Twenty-first. That all defacers or corruptors of charters, gifts, grants, bonds, bills, wills, contracts and conveyances, or that shall deface or falsify any enrolment, registry or record within this province, shall make double satisfaction for the same; half whereof shall go to the party wronged, and they shall be dismissed of all places of trust, and be publickly disgraced as false men.

Defacers of charters, grants, &c., to render double satisfaction.

Twenty-second. That there shall be a register for births, marriages, burials, wills, and letters of administration, distinct from the other registry.

Registry of births.

Twenty-third. That there shall be a register for all servants, where their names, time, wages, and days of payment, shall be registered.

Registry of servants.

Twenty-fourth. That all lands and goods of felons shall be liable to make satisfaction to the party wronged twice the value; and for want of lands or goods, the felons shall be bond-men to work in the common prison or work-house, or otherwise, till the party injured be satisfied.

Satisfaction from felons for injuries done.

Twenty-fifth. That the estates of capital offenders, as traitors, and murderers, shall go one third to the next of kin to the sufferer, and the remainder to the next of kin to the criminal.

Disposition of estates of capital offenders.

Twenty-sixth. That all witnesses, coming or called to testify their knowledge in or to any matter or thing in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by sol-

Testimony of witnesses.

Punishment for bearing false witness.

emply promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question. And in case any person so called to evidence, shall be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty, as the person or persons against whom he or she bore false witness, did or should undergo; and shall also make satisfaction to the party wronged, and be publicly exposed as a false witness, never to be credited in any court, or before any magistrate, in the said province.

No person to enjoy more than one office at same time.

Twenty-seventh. And to the end that all officers chosen to serve within this province, may with more care and diligence answer the trust reposed in them, it is agreed, that no such person shall enjoy more than one publick office at one time.

Children to be taught trades.

Twenty-eighth. That all children within this province of the age of twelve years, shall be taught some useful trade or skill, to the end none may be idle, but the poor may work to live, and the rich, if they become poor, may not want.

Usage of servants.

Twenty-ninth. That servants be not kept longer than their time, and such as are careful, be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom.

Calumniators and defamers, to be punished.

Thirtieth. That all scandalous and malicious reporters, backbiters, defamers and spreaders of false news, whether against magistrates or private persons, shall be accordingly severely punished, as enemies to the peace and concord of this province.

Patent granted to society of planters, confirmed.

Thirty-first. That for the encouragement of the planters and traders in this province, who are incorporated into a society, the patent granted to them by William Penn, Governor of the said province, is hereby ratified and confirmed.

Thirty-second. \* \* \* \* \*  
\* \* \* \* \*  
\* \* \* \* \*

Factors to make satisfaction for wrongs done employers.

Thirty-third. That all factors or correspondents in the said province wronging their employers, shall make satisfaction, and one third over, to their said employers; and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estate, as belongs to his said respective employers.

Qualifications of officers.

Thirty-fourth. That all treasurers, judges, masters of the rolls, sheriffs, justices of the peace, and other officers and persons whatsoever, relating to courts or trials of causes, or any other service in the government; and all members elected to serve in Provincial Council and General Assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ, and that are not convicted of ill fame, or unsober and dishonest conversation, and that are of one and twenty years of age at least; and that all such so qualified, shall be capable of the said several employments and privileges as aforesaid.

Freedom of worship.

Thirty-fifth. That all persons living in this province, who confess and acknowledge the one almighty and eternal God,

to be the creator, upholder and ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever.

Thirty-sixth. That according to the good example of the primitive christians, and for the ease of the creation, every first day of the week, called the Lord's day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings.

The Sabbath to be observed.

Thirty-seventh. That as careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country; therefore, that all such offenses against God, as swearing, cursing, lying, prophane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes, whoredom, fornication, and other uncleanness (not to be repeated.) All treasons, misprisons, murders, duels, felonies, seditions, maims, forcible entries, and other violences, to the persons and estates of the inhabitants within this province: all prizes, stage plays, cards, dice, may-games, masques, revels, bull-baitings, cock-fightings, bear-baitings and the like, which excite the people to rudeness, cruelty, looseness and irreligion, shall be respectively discouraged, and severely punished, according to the appointment of the governor and freemen in Provincial Council and General Assembly, as also all proceedings contrary to these laws, that are not here made expressly penal.

Certain offences, to be severely punished.

Thirty-eighth. That a copy of these laws shall be hung up in the Provincial Council, and in public courts of justice, and that they shall be read yearly, at the opening of every Provincial Council and General Assembly, and courts of justices, and their assent shall be testified by their standing up, after the reading thereof.

Copy of laws, to be hung in council, &c.

Thirty-ninth. That there shall be at no time any alteration of any of these laws, without the consent of the governor, his heirs or assigns, and six parts of seven of the freemen, met in Provincial Council and General Assembly.

Alterations of laws.

Fortieth. That all other matters and things not herein provided for, which shall and may concern the publick justice, peace or safety of the said province; and the raising and imposing of taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence and determination of the governor and freemen in Provincial Council and General Assembly, to be held from time to time in the said province.

Other matters of public concern, referred to governor, council and assembly.

Signed and sealed by the Governor and freemen aforesaid, the fifth day of the third month, called May, one thousand six hundred and eighty-two.

*Soon after the grant made by the Royal Charter, an Assembly of the province and three lower counties (then called the territories) was called by the Proprietary and Governor, which met at Chester on the 7th day of December, 1682, where the following laws, among others, were passed, to wit:*

### AN ACT OF UNION,

*for Annexing y<sup>e</sup> Counties of New Castle, Jones's, Whore-Kills als' Deal to y<sup>e</sup> Province of Pennsylvania, to be as a proper Territory thereunto Belonging.*

Preamble.

Forasmuch as all that Tract of Land Lying on y<sup>e</sup> West side of y<sup>e</sup> River Delaware, begining from Twelve Miles above New Castle, upon y<sup>e</sup> said River, Northward, and Extending to y<sup>e</sup> South Cape, commonly called Cape Henlopen, making the Mouth of y<sup>e</sup> Bay of Delaware, of Late divided into three Counties, and called by y<sup>e</sup> names of New Castle, Jones's and Whore-Kills als' Deal, with their Appurtinences, and y<sup>e</sup> Jurisdiction & Royalties thereunto belonging, are Granted to William Penn, Proprietary & Govero<sup>r</sup> of Pennsylvania & his Heirs and Assignes for ever, By James Duke of Yorke & Albany, Earl of Ulster &c; as by two Deeds of Feofment, Dated y<sup>e</sup> 24<sup>th</sup> of August, 1682, more at Large appears: And whereas, The Freemen of y<sup>e</sup> said Counties have by their Deputys humbly besought their Present Proprietary & Governor to Annex y<sup>e</sup> said Counties to y<sup>e</sup> Province of Pennsylvania, and to grant unto them y<sup>e</sup> same Priveledges, and that they may Live under y<sup>e</sup> same Laws & Government that y<sup>e</sup> Inhabitants of y<sup>e</sup> said Province now doe or hereafter shall Enjoy, And since y<sup>e</sup> Union of two distinct People that are under one Governor is both most desirable in it self & beneficial to y<sup>e</sup> Publick, & that it cannot be so Cordially & Durably maintained to y<sup>e</sup> mutual Benefits of each other, as by making them Equally Sharers in Benefits & Priveledges, *Bee itt Enacted by the Proprietary & Governor aforesaid, by & with y<sup>e</sup> advice & Consent of y<sup>e</sup> Deputys of the Freemen of y<sup>e</sup> Province & Countys, afores' in Assembly met,* That y<sup>e</sup> Counties of New Castle, Jones's & Whore Kills, als' Deal, shall be Annexed, & by y<sup>e</sup> Authority afores<sup>d</sup> are hereby Annexed unto y<sup>e</sup> Province of Pennsylvania, as of y<sup>e</sup> proper Territory thereof, and the People therein shall be Governed by y<sup>e</sup> same Laws & Enjoy y<sup>e</sup> same Priveledges, in all Respects as y<sup>e</sup> Inhabitants of Pennsylvania doe or shall enjoy, from time to time Therein, Any thing in this Law or any other Law, Act or thing in this Province to y<sup>e</sup> Contrary in anywise Notwithstanding. Given at Chester, als' Upland, this 7 day of December, 1682, being y<sup>e</sup> second year of y<sup>e</sup> Government of William Penn, Proprietary & Governor of Pennsylvania. by the Kings Authority.

The three counties, annexed to province.

W<sup>m</sup> PENN.