
THE FRAME OF THE GOVERNMENT (1683)

Of the Province of Pennsylvania and Territories thereunto annexed in America

P.H.M.C., Archives, Basic Documents, No. 5 for the Preamble, and Sections 1-5, 19-25, and RG-26, Law Book, 1682-1690 (Patrick Robinson's Book) for Sections 6-18 and the conclusion. In Patrick Robinson's book each numbered item is paragraphed. Only two sheets survive of the original parchment version, and so the manuscript law has been used to supply the missing portions. Printed in *A Collection of Charters . . . Relating to Pennsylvania, etc . . . Colonial Records, I, xxxiv-xli; Pa. Arch., Fourth Series, I, 45-55; etc.*

To all Persons to whom these Presents may Come

Whereas King Charles the Second by his Letters Patents under the Great Seal of England bearing date the fourth day of March in the thirty Third year of the King for divers considerations therein mentioned hath been graciously pleased to give and grant unto me William Penn, by the name of William Penn Esquire 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 Preheminences Royalites Jurisdictions and Authoritys necessary for the well being and Government thereof And whereas the Kings dearest Brother James Duke of Yorke & Albany &c: by his Deeds of Feoffment under his hand and Seal, duly perfected bearing date the four and Twentieth day of August one Thousand Six hundred Eighty and two Hath Granted unto Me the said William Penn my Heires & Assignes all that Tract of Land Lying and being from twelve miles northward of New Castle upon Delaware River in America to Cape Enlopen upon the said River and Bay of Delaware Southward together with all Royalties Franchises Duties Jurisdictions Liberties and Priviledges thereunto belonging now Know yee That for the well being and government of the Said Province & Territories thereunto annexed and for the Encouragement of all the Freemen and Planters that may be therein concerned in pursuance of the Rights & Powers aforementioned I the Said William Penn have declared granted and Confirmed and by these Presents for me my heirs and Assignes doe Declare Grant

& Confirme unto all the Freemen Planters and Adventurers of in & to the Said Province and Territorys thereof these Liberties Franchises and Properties So farr as in me Lieth to be held Enjoyed and Kept by the Freemen Planters and Adventurers of and in the Said Province of Pennsylvania and Territorys thereunto annexed for Ever. Imprimis: That the Government of this Province and Territorys thereof Shall from time to time according to the Powers of the Pattent and deeds of Feoffment aforesaid, Consiste of the Proprietary & Governor and the Freemen of the Said Province and Territorys thereof in the Forme of a Provinciall Councill and Assembly which Provinciall Councill Shall Consiste of eighteen Persons being Three out of Each County and which Assembly Shall consiste of Thirty Six Persons being Six out of each County Men of most note for virtue, Wisdome and Abillity by whom all Laws shall be made Officers chosen and Publick affairs transacted as is hereafter Limited and declared

2ly There being Three Persons already Chosen for every Respective County of This Province and Territorys thereof to Serve in the Provinciall Councill one of them for Three years one for Two years and one for one year and one of them being to goe off yearly in every County That every Tenth day of the first Month yearly for ever after The Freemen of the Said Province and Territorys Thereof Shall meet together in the most Convenient Place in every County of this Province & Territorys thereof and Then and There Chuse one person qualiyed as aforesaid in every County being one Third of the number to Serve in Provinciall Councill for Three years it being intended that one Third of the whole Provinciall Councill Consisting & to consist of eighteen Persons falling off yearly it shall be yearly Supplied by Such new yearly Elections as aforesaid and That no one Person Shall Continue in Longer then 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 an other shall be Chosen to Supply his Place for the Remaining Time hee was to have served and no longer.

3ly That after the first Seven years every one of the Said Third parts that goeth yearly of Shall be uncapable of being chosen again for one whole yeare following That So all that are capable and qualified as

aforesaid may be fitted for Government and have a Share of the Care and burden of it.

4thly That the Provincial Council in all Cases and matters of moment as their Arguing upon Bills to be past into Laws or proceedings about Erecting of Courts of Justice, Sitting in Judgment upon Criminals impeached and Choice of Officers in Such manner as is hereinafter expressed Not Les than two Thirds of the whole Shall make a Quorum and That the Consent and Approbation of Two Thirds of That Quorum Shall be had in all Such Cases or matters of moment And that in all cases and matters of Lesser moment one Third of the whole Shall make a Quorum the Majority of which Shall and may alwaies determine in Such Cases & Causes of Lesser moment

5ly That the Governor and Provincial Council Shall have the Power of preparing and Proposing to the Assembly hereafter mentioned all Bills which they Shall See needful and that Shall at any time be past into Laws within the Said Province and Territorys thereof which Bills shall be published and affixed to the most noted Place in every County of This Province & the Territorys thereof twenty days before the meeting of the Assembly in order to the Passing of them into Laws

6e That the Governor and Provincial Council Shall take Care that all Laws Statutes & ordinances which shall att anie time be made within the said province and Territories be dulle and diligentlie apointed.

7e That the Governor and Provincial Council shall att all times have the Care of the Peace and Safety of this Province and Territories thereof, and that nothing be by ane person attempted to the Subversion of this frame of government.

8e That the Governor and Provincial Council shall att all times Settle and order the Scituation of all Cities & market towns in every Countie, modelling therein all publick buildings, Streets and market places & shall appoint all necessarie roads and Highways in this Province and Territories thereof.

9e That the Governor and Provincial Council shall att all times have power to inspect the Management of the publick treasurie, and punish those who shall Convert anie part thereof to anie other use than

what hath been agreed upon by the Governor Provincial Council & Assembly.

10e That the Governor & Provincial Council shall erect & order all publick Schools and encourage & reward the authors of Usefull Sciences and Laudable Inventions in the said Province and Territories thereof.

11e That One Third of the Provincial Council Residing with the Governor, shall with the Governor from time to time have the Care of the Management of all publick affairs, relating to the Peace, Justice, Treasurie Trade and Improvement of the Province and Territories, and to the good education of youth, and Sobrietie of the manners of the Inhabitants therein as aforesaid.

12e That the Governor or his deputy shall always preside in the Provincial Council, and that he shall att no time therein performe anie publick Act of State whatsoever that shall or may Relate unto the Justice, Trade, Treasurie or Saftie of the Province & Territories as aforesaid, but by & with the advice and consent of the Provincial Council thereof.

13e And to the end that all Bills prepared and agreed by the Governor and Provincial Council as aforesaid, may yet have the more full Concurrence of the freemen of the Province and Territories thereof; It is declared granted and Confirmed that at the time and place in said Countie for the Choice of one person to serve in Provincial Council as aforesaid, The respective members hereof att their said meeting shall yearlie Chose outt of themselves Six persons of note for vitue wisdom and abilities to serve in Assemblie as their Representatives who shall yearlie meet on the tenth Day of the third month, in the Capitall Town or City of the said province, unless the Governor & Provincial Council shall think fitt to appoint another place to meet in, where during eight Days the severall Members may Confer free lie with one another, and if anie of them See meet with a Committee of the Provincial Council which shall be att that Time purposedie appoynted To Receive from anie of them Proposals for the Alteration or amendment of anie of the said proposed and promulgated bills, and on the ninth Day from their So meeting, The Said assembly after the reading over of the proposed Bills by the Clarke of the Provincial Council, and the Occasions &

Motives for them being opened by the Governor or his Deputie, shall upon the Question by him putt give their affirmative or negative, which to them Seemeth best, in Such Manner as hereafter is expressed; But not Less than Two Thirds shall make a Quorum in the passing of all Bills and choice of Such officers as are by them to be chosen.

14e That the Laws so prepared and proposed as aforesaid that are assented to by the assemblie, shall be enrolled as Laws of this Province and Territories thereof with this Stile, By the Governor with the assent & approbation of the freemen in Provinciall Council & Assemblie mett, and from henceforth, The meettings Sessions Acts & proceedings of the Governor Provinciall Council & Assemblie shall be Styled & called the Meeting, Sessions, oaths and proceedings of the Generall Assemblie of the province of Pennsilvania and the Territories thereunto belonging.

15e And that the representatives of the People, in Provinciall Council & Assembly, May in after ages beare Some proportion with the increse & multiplying of the people; the numbers of such representatives of the people may be from time to time increased & enlarged, So as at no time the Number exceed Seventie-two for the Provinciall-Council & two-hundred for the assembly, the appoyntment and proportion of which Number as also the Laying and Methodizing of the choice of Such representatives in future time most equallie to the Division of the Countrie or Number of the inhabitants, Is left to the Governor and Provinciall Council to propose & to the assemblie to resolve; So that the order of rotation be strictly observed both in choice of the Council and the respective Committees thereof That is to say, one third to goe off, and come in yearlie.

16 That from and after the Death of this present Governor, the Provinciall Council shall, together with the Succeeding Governor 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 territories thereof; And that the Provinciall Council shall on the thirteenth Day of the Second Month then next ensuing elect and present to the Governor, and his Deputie, a Double Number of persons to Serve for Judges, Treasurers and Masters of

Rolls within the Said province and territories, to Continue so long as they shall well behave themselves in those Capacities respectively . . . And the freemen of the said Province in Assembly met, on the thirteenth Day of the Third Month, yearly elect and then present to the Governor or his Deputie a double Number of Persons to serve for Sheriffs, Justices of the Peace and Coroners for the yeare next ensuing; out of which respective elections and presentments the Governor or his Deputie shall Nominate and Commissinate the proper Number for each office the third Day after the said respective presentment; or else the first Named in Such presentment for each office as aforesaid, Shall Stand and Serve in that office the time before respectivelie limited, And in Case of Death or Default, Such Vacancie shall be supplied by the Governor and Provinciall Council in manner aforesaid.

17e That the Assembly shall Continue so long as may be needfull to Impeach Criminalls fitt to be there Impeached; To pass Such Bills into Laws as are proposed to them, which they shall think fitt 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 assembly for that time; which assembly shall be notwithstanding Capable of assembling together upon the Summons of the Governor and Provinciall Council at any time during that year if the Governor and Provincial Council shall see occasion for their so assembling.

18e That all the elections of Members or Representatives of the People to Serve in Provincial Council & assembly and all questions to be determined by both or either of them that relate to the Choice of officers, and all or anie other personall matters shall be resolved and determined by the Ballott, and all things relating to the preparing and passing of Bills into Laws shall be openly declared and resolved by the Vote.

19ly That at all times when the Proprietary and Governor shall happen to be an Infant under the age of one and Twenty years and no Guardian or Commissioners are appointed in writeing by the Father of the Said Infant or That Such Guardian Shall be deceased That during Such minority the Provinciall Council Shall from time to time as They shall see meet Constitute & appoint Guardians or Commis-

sioners not Exceeding Three one of which shall preside as Deputy and Cheife Guardian during Such Minority, and shall have and Execute with the Consent of one of the other Two all the power of a Governor in all the Publick affairs & Concerns of the said Province and Territory thereof according to Charter which said Guardian So appointed shall also have the care & oversight of the Estate of the Said Minor and be yearly accountable and Responsible for the same to the Provinciaall Council and the Provinciaall Council to the Minor when of age or to the next Heir in case of the Said Minors Death For the Truste before exprssed.

20ly That as often as any days of the month Mentioned in any Article of this Charter shall fall upon the first day of the week comonly called the Lords day the Business appointed for that day shall be deferred till the next day unless in Cases of emergency.

21st And for the Satisfaction and Encouragement of all Aliens Idoe give and grant That if any Alien who is or shall be a Purchaser or who doth or shall Inhabit in this Province or Territories thereof shall decease at any time before he can well be Naturalized his Right and Interest therein shall notwithstanding descend to his wife and Children or other his Relations be he Testate or Intestate according to the Laws of this Province and Territories thereof in Such cases provided in as free and ample manner to all Intents and purposes as if the said Alien had been naturalized.

22d And That the Inhabitants of this Province and Territorys thereof may be accommodated with Such Food and Sustenance as God in his Providence hath freely afforded I doe also further grant to the Inhabitants of this Province and Territorys thereof Liberty to Fowle and Hunt upon the Lands they hold and all other Lands therein not Inclosed and to Fish in all Waters in the said Lands and in all Rivers and Rivoletts in and belonging to this Province and Territorys thereof with Liberty to draw his or Their Fish on Shoar on any Mans Lands So as it be not to the detriment or anoyance of the Owner thereof Except Such Lands as doe Lye upon Inland Rivoletts That are not boatable and which are or may be hereafter Erected into Mannors.

23d And That all the Inhabitants of this Province and Territorys thereof whether Purchasers or others may have the Last Worldly

Pledge of my good and Kind intentions to Them and theirs I doe give grant and Confirme to all and every one of Them the full and quiet Enjoyment of their Respective Lands to which They have any Lawfull or Equitable Claime Saving only Such Rents and Services for the Same as are or Customarily ought to be reserved to me my Heirs or Assines.

24th That no Act Law or ordinance whatsoever Shall at any time hereafter be made or done by the Proprietary and Governor of This Province and Territories thereunto belonging his Heirs or Assigns or by the Freemen in Provinciall Council or Assembly to Alter Change or diminish the forme 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 Proprietary and Governor his Heirs or Assignes and Six parts of Seaven of the Said Freemen in Provinciall Council and Assembly mett.

25th And Lastly I the said William Penn Proprietary and Governor of the Province of Pennsylvania and Territories thereunto belonging for my Self my Heirs and Assignes have Solemnly declared granted and Confirmed and doe Hereby Solemnly declare grant and Confirme That neither I my heirs or Assigns Shall procure or doe any thing or things whereby the Liberties in this Charter contened and Expressed shall be Infringed or Broaken 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 Wittness whereof I the Said William Penn at Philadelphia in Pennsylvania have unto this present Charter of Liberties Sett my Hand and Broad Seal this Second day of the Second Month in the year of our Lord One Thousand Six Hundred Eighty and Three being the Five and Thirtieth of the King and the Third year of my Government.

William Penn

This within Charter which wee have distinctly heard read and thankfullie received, shall be by us Inviolablie kept att Philadelphia the Second Day of the Second Month: 1683 A.D.

The Members of the Provinciall Council present

William Markham

John Simcock

William Biles

John Moll

William Clayton

John Richardson

William Haig

John Hillyard

Philip Th. Lehman

Secretary to the Governor

Francis Whitwell	Thomas Holme	Richard Ingelo Clerk Council
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Christopher Taylor	William Clark	
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The Members of the Assembly present

Thomas Wynne Speaker

Casparus Harman	William Futchter	Robert Lucas
John Darby	John Kipshaven	John William
Benjamin Bishop	Alexander Moleston	John Blunston
Benjamin Williams	Robert Brassie Sr.	John Songhurst
William Guest als Butler	Thomas Brassie	John Hill
Valentine Hollingsworth	William Yardlie	Nicholas Wallne
James Boyden	John Hastings	Thomas Fitzwater
John Bezer	Robert Wade	John Clowes
John Harding	Thomas Hassold	Luke Watson
Andrew Bankson	John Hart	Joseph Phipps
Simon Irons	Robert Hall	Dennis Rotchford
John Wood	Robert Bedwell	John Brinkloe
John Curtis	William Simsmore	Henry Bowman
Daniel Brown		Cornelius Verhoose
		Samuel Darke
		John Southworth
		Clerk Synods

Some of the inhabitants of Philadelphia then present

William Howell	Henry Lewis
Edmund Warner	Samel Myles:

Approved in the March, 1683 Session of the Council and General Assembly.