

THE ANNALS OF AMERICA

NOTICE: THIS MATERIAL
MAY BE PROTECTED BY
COPYRIGHT LAW
(TITLE 17, U.S. CODE).

Volume 1

1493 - 1754

Discovering a New World



ENCYCLOPÆDIA BRITANNICA, INC.

Chicago London Toronto Geneva Sydney Tokyo Manila Johannesburg Seoul

1606

4.

First Charter of Virginia

All of the attempts by English adventurers to establish colonies in America during the sixteenth century failed, usually because of a lack of capital. However, interest in such ventures continued unabated, and the Crown, concerned to further the cause of Protestantism as well as to increase Britain's trade, determined to lend more active support. Reports of several exploratory expeditions in the early 1600s led two groups of merchants to petition the Crown in 1605 for a patent to Virginia — to the territory extending from South Carolina to Maine and "from sea to sea." The Charter of Virginia was issued jointly to the two companies, the London and the Plymouth, on April 10, 1606. The Plymouth Company's venture on the Maine coast was not successful, but the London Company, more adequately planned and financed, was able in 1607 to establish the first permanent English colony in America at Jamestown, Virginia.

Source: Hazard, I, pp. 50-58.

JAMES, BY THE GRACE OF GOD, King of England, Scotland, France, and Ireland, Defender of the Faith, etc.: Whereas Our loving and well-disposed subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esquires William Parker, and George Popham, Gentlemen, and diverse others of Our loving subjects, have been humble suitors unto Us, that We would vouchsafe unto them Our license, to make habitation, plantation, and to deduce a colony of sundry of Our people into that part of America commonly called Virginia, and other parts and

territories in America, either appertaining unto Us, or which are not now actually possessed by any Christian prince or people, situate, lying, and being all along the sea-coasts, between 34° of northerly latitude from the equinoctial line, and 45° of the same latitude, and in the mainland between the same 34° and 45°, and the islands thereunto adjacent or within 100 miles of the coast thereof:

And to that end, and for the more speedy accomplishment of their said intended plantation and habitation there, are desirous to divide themselves into two several colonies and companies; the one consisting of certain knights, gentlemen, merchants, and other

adventurers of our City of London and elsewhere, which are, and from time to time shall be, joined unto them, which do desire to begin their plantation and habitation in some fit and convenient place, between 34° and 41° of the said latitude, along the coasts of Virginia and the coasts of America aforesaid. And the other consisting of sundry knights, gentlemen, merchants, and other adventurers, of our cities of Bristol and Exeter, and of our town of Plymouth, and of other places, which do join themselves unto that colony, which do desire to begin their plantation and habitation in some fit and convenient place, between 38° and 45° of the said latitude, all along the said coasts of Virginia and America, as that coast lies.

We, greatly commending, and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of His Divine Majesty, in propagating of Christian religion to such people as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages living in those parts to human civility and to a settled and quiet government, do, by these Our letters patent, graciously accept of, and agree to, their humble and well-intended desires.

And do therefore, for Us, Our Heirs, and Successors, grant and agree, that the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, Adventurers of and for our City of London, and all such others, as are, or shall be, joined unto them of that colony, shall be called the first colony; and they shall and may begin their said first plantation and habitation at any place upon the said coast of Virginia or America, where they shall think fit and convenient, between the said 34° and 41° of the said latitude; and that they shall have all the lands, woods, soils, grounds, havens, ports, rivers,

mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the said first seat of their plantation and habitation by the space of 50 miles of English statute measure, all along the said coast of Virginia and America, toward the west and southwest, as the coast lies, with all the islands within 100 miles directly over against the same seacoast; and also all the lands, soils, grounds, havens, ports, rivers, mines, minerals, woods, waters, marshes, fishings, commodities, and hereditaments, whatsoever, from the said place of their first plantation and habitation for the space of 50 English miles, all along the said coasts of Virginia and America, toward the east and northeast, or toward the north, as the coast lies, together with all the islands within 100 miles, directly over against the said seacoast; and also all the lands, woods, soils, grounds, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the same 50 miles every way on the seacoast, directly into the mainland by the space of 100 English miles; and shall and may inhabit and remain there; and shall and may also build and fortify within any the same for their better safeguard and defense, according to their best discretion and the discretion of the council of that colony; and that no other of our subjects shall be permitted or suffered to plant or inhabit behind, or on the backside of them, toward the mainland, without the express license or consent of the council of the colony, thereunto in writing first had and obtained.

And We do likewise, for Us, Our Heirs, and Successors, by these presents, grant and agree, that the said Thomas Hanham, and Raleigh Gilbert, William Parker, and George Popham, and all others of the town of Plymouth in the County of Devon, or elsewhere, which are, or shall be, joined unto them of that colony, shall be called the second colony; and that they shall and may begin their said plantation and seat of

their first abode and habitation at any place upon the said coast of Virginia and America, where they shall think fit and convenient, between 38° of the said latitude, and 45° of the same latitude. . . .

Provided always, and Our will and pleasure herein is, that the plantation and habitation of such of the said colonies, as shall last plant themselves, as aforesaid, shall not be made within 200 English miles of the other of them, that first began to make their plantation, as aforesaid.

And We do also ordain, establish, and agree, for Us, Our Heirs, and Successors, that each of the said colonies shall have a council, which shall govern and order all matters and causes, which shall arise, grow, or happen, to or within the same several colonies, according to such laws, ordinances, and instructions, as shall be, in that behalf, given and signed with Our hand or sign manual, and pass under the privy seal of Our Realm of England; each of which councils shall consist of thirteen persons, to be ordained, made, and removed, from time to time, according as shall be directed and comprised in the same instructions. . . .

And that also there shall be a council, established here in England, which shall, in like manner, consist of thirteen persons, to be, for that purpose, appointed by Us, Our Heirs, and Successors, which shall be called Our Council of Virginia; and shall from time to time, have the superior managing and direction, only of and for all matters that shall or may concern the government, as well of the said several colonies, as of and for any other part or place, within the aforesaid precincts of 34° and 45° above-mentioned; which council shall, in like manner, have a seal, for matters concerning the council or colonies, with the like arms and portraiture, as aforesaid, with this inscription engraved round about on the one side — *Sigillum Regis Magnae Britanniae, Franciae, & Hiberniae*; and round about on

the other side — *Pro Concilio suo Virginiae* [For his council of Virginia].

And moreover, We do grant and agree, for Us, Our Heirs, and Successors, that the said several councils of and for the said several colonies, shall and lawfully may, by virtue hereof, from time to time, without any interruption of Us, Our Heirs, or Successors, give and take order, to dig, mine, and search for all manner of mines of gold, silver, and copper, as well within any part of their said several colonies, as of the said mainlands on the backside of the same colonies; and to have and enjoy the gold, silver, and copper, to be gotten thereof, to the use and benefit of the same colonies, and the plantations thereof; yielding therefore to Us, Our Heirs, and Successors, the fifth part only of all the same gold and silver, and the fifteenth part of all the same copper, so to be gotten or had, as is aforesaid, without any other manner of profit or account, to be given or yielded to Us, Our Heirs, or Successors, for or in respect of the same.

And that they shall, or lawfully may, establish and cause to be made a coin, to pass current there between the people of those several colonies, for the more ease of trade and bargaining between and among them and the natives there, of such metal, and in such manner and form, as the said several councils there shall limit and appoint. . . .

Also We do, for Us, Our Heirs, and Successors, declare, by these presents, that all and every of the persons being Our subjects, which shall dwell and inhabit within every or any of the said several colonies and plantations, and every of their children, which shall happen to be born within any of the limits and precincts of the said several colonies and plantations, shall have and enjoy all liberties, franchises, and immunities, within any of our other dominions, to all intents and purposes, as if they had been abiding and born, within this Our Realm of England, or any of Our said dominions. . . .