

# ORDERS

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# ARTICLES

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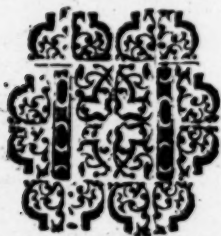
HIGH AND MIGHTIE LORDS

THE STATES GENERAL OF

THE VNITED PROVINCES,

Concerning the erecting of a *West India*  
Companie:

*Together with the Priviledges and rights  
ginen vnto the same.*



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DATE 11-11-01 BY SP-6 [illegible]



**T**He States Generall of the vnited Prouinces, vnto all those that shall see these, greeting. We make knowne, that we considering the good of these Lands, and the welfare of the inhabitants of them, to consist principally in the nauigation and traffike which in all times out of these Countries with good successe and blessings in all kingdomes and countries haue continued. And desiring that the said inhabitants not onely maintaine and keepe their former nauigations and traffikes, but likewise as much as is possible increase the same, and principally according to the treaties, alliances, contracts and entercourses concerning the traffike and nauigation with other Princes, Commonwealths and Nations in former times made, which we vnderstand in all points to be kept and obserued. And we perceiuing that without a common helpe, assistance and meanes of a generall Companie, nothing can be vndertaken in the places hereafter specified for to get profit and to maintaine and defend the same, in regard of piracies, exorsions and other like matters happening such long nauigations. We haue in regard of these and other weightie reasons and considerations mouing vs vnto the same, as likewise ripe deliberations of our Counsels, and other pregnant and weightie occasions mouing vs in like maner found good, that the nauigation, traffike and commerce in the quarters of the *West Indies* and *Africa*, and other places named hereafter in times following, no more shall be exercised and vsed then by common and vnited power of Merchants and inhabitants of these Countries, and that to the same purpose shall be erected a generall Companie, which we in regard of our singular affection and loue to the common good, and to preserue the inhabitants of the same in traffike and welfare, shall maintaine and strengthen with help, fauour and assistance, for as much

as the present state and condition of these countries in any manner of wayes can permit, providing for the same a full grant, with priviledges and liberties, here following: viz. That within the terme of foure and twentie yeares, none of the natives or inhabitants of these Countries, otherwise then onely by the authoritie of the vnited Companie of these vnited Prouinces, or from any other country shall nauigate or traffike vpon the coasts and lands of *Africa*, from *Topica*, *Caucris*, vntill *Cabo de bonna Esperanca*, neither vpon the countries of *America* or *West India*, beginning from the South end of *Terranoma*, through the straight of *Magellanus le Maire* or other straight or passages thereabout, vntill the straight of *Anian*, as well vpon the North as South sea, neither vpon any Ilands either at the one or other side, or betwixt them both situated; likewise neither vpon the *Anstrial* or Southlands lying betwixt both *Meridians*, touching at the East side *Cabo de bonna Esperanca*, and at the West side, the East side of *Noua Guinea*, inclusive. And if any man without leaue of the said Companie shall saile or traffike into any of these aforesaid limits granted vnto this Companie, the ships and goods shall be forfeited, hauing traffiked in any of the aforesaid parts, which immediately euery way shall be taken and seised vpon by the Companie, and kept for the vse and benefit of the same. And in case such ships or goods shall be sold, or landed in other countries or ports, shall the Merchant venturers and participants be answerable for the value of the ships and goods, and be conuicted for the same; with this caution, that those that before this grant of these or other countries are sailed vnto any of these coasts, may sell their goods and returne backe againe in these lands; or otherwise vntill their grant is expired (if they haue gotten any before this time) continue, and not longer, obseruing that no body now at the beginning shall send any ships or goods into the parts in this Patent comprehended, notwithstanding at the same time perhaps the Companie be not fully concluded, providing for the same as is fit, and against

against them that wilfully against our good intention shall  
seeke to wrong the generall good. We vnderstand neuer-  
theless that it shall be free for euery one to fetch salt from  
*Ponte del Re*, but vpon conditions and instructions by vs  
allowed or to be allowed, without otherwise in any maner  
to be tied vnto this grant.

2  
That moreouer the said Companie in our name and by  
our authoritie shall haue power, within the limits here be-  
fore set downe, to make contracts and alliances with the  
Princes and natiues of the countries herein comprehen-  
ded, as likewise to build forts and strong holds, to chuse  
gouernours, and men for warres, Officers of iustice, and  
all other necessary vses for the conseruation of good or-  
ders, policie and iustice, as for the aduancement of trading  
and traffiking shall be required; as likewise to depose and  
put downe, and to substitute other in their places, as they  
shall finde conuenient. Furthermore they shall search plen-  
tifull and not vninhabited places to plant the same, and do  
euery thing that will be good for the seruice and profit of  
the Countrie, and which the increase of traffike will re-  
quire. And these of the Companie shall from time to time  
communicate to vs, and deliuer such contracts and allian-  
ces as they shall make with the said Princes and nations,  
besides the situations of the forts, places of defence, and  
plantations by them taken in hand.

3  
Observing that the Companie hauing chosen a Gover-  
nour, and conceiued instructions for him, he shall be ap-  
proved by vs, and receiue his commission. And the said  
Gouernour generall shall as well as other Vice or Substi-  
tute gouernours, Commanders and Officers, be sworne both  
vnto Vs and the Companie.

4  
And in case the said Companie in any of the places a-  
boue mentioned happen by fained friendship to be decei-  
ued or ill vsed, or that any summes of mony or merchan-  
dizes

dizes trusted abroad without restitution or paiment for the same be detained, that they shall see to repaire the damage, according to the cause, and as for their abilitie shall be most requisite.

5  
And because for the plantation, safetie and defence of this traffike, some men of warre of necessitie must be leuied, we will provide for the said Companie such Commanders, souldiers and engineers as shall be requisite, though vpon condition they shall be paid by the said Companie.

6  
Which besides the oath made vnto vs and his Excellencie, shall likewise be sworne to follow the directions and commandements of the Companie.

7  
That the Prouosts of the Companie shall haue power and authoritie in these countries to take and apprehend such souldiers and men of warre as shall be entred into the seruice of this Companie, and bring them to shipbord, in whatsoeuer cities, townes or iurisdicions they shall be found: vpon condition the said Prouosts shall aforehand giue notice of it vnto the Officers and Magistrates of the place.

8  
That we shall not take any ships, ordinance or munition from this Companie for the vse of these Countries, without the consent of the said Companie.

9  
Moreouer we haue granted and yeelded vnto the said Companie, and grant and yeeld by these presents, that all their ships and goods shall passe freely, without paying any custome or tole due in these vnited Prouinces: notwithstanding any forreiners may be partakers in the said Companie, which in that regard shall enioy like priuiledges with the free inhabitants of these countries.

10  
That this Companie for the first eight yeares shall pay nothing

nothing for conuoy for their goods either comming in, or to be sent into the *West Indies* and *Africa*, and other countries in the same limitation comprehended: and is reserved and concluded, that in case at the end of the first eight yeares the state and condition of these countries cannot admit the said priuiledge of eight yeares to be continued for certaine yeares more, that the goods to be sent from these parts, as likewise the wares of these aforesaid countries being to be transported in the conuoyes and licenses, shall not be higher taxt or charged then they are now, except we are in warres againe, in which case all the aforesaid goods and wares shall not be taxed higher then they were immediatly before the truce made.

11

And because this Companie may be well gouerned and to the most profit and contentment of all the partakers, we haue ordered that the government of the same shall consist in five Courts of Committees or Commissioners, as namely one at *Amsterdam*, which shall haue the administration of foure ninth parts; one in *Zealand*, for two ninth parts; one about the *Maas*, for one ninth part; one in *North Holland*, for one ninth part; and the fift in *Friesland*, the citie and Land likewise for a ninth part, vpon conditions set downe in the Register of our resolutions, as appears by the Act concerning the same by vs deliuered. And the Prouinces destitute of Courts, shall be furnished with so many Commissioners, as they shall bring a hundred thousand gilders vnto this Companie, and they shall be dispersed amongst the other Courts.

The Court of *Amsterdam* shall consist of twentie Commissioners; the Court of *Zealand* of twelue; the Courts about the *Maas* and *North Holland*, every one of fourteene; and the Court of *Friesland*, citie and land, likewise of fourteene, vntill hereafter it appeare the said not to be enough, in which case we will at our liking and aduice of the ninetee increase the number of the same.

And by these is granted authoritie vnto the States of the aforesaid Prouinces, either before their ordinarie Deputies, or the Magistrate of the cities in their Prouinces, to take such an order for the registering and subscribing of the partakers and Commissioners, as they shall finde agreeable vnto the customes and lawes of their Prouinces; provided alwayes that none shall be chosen to be a Commissioner in the Court at *Amsterdam*, vnlesse he put six thousand guilders stocke of his owne in the said Companie; but in the Court of *Zealand*, as likewise in the Courts about the *Maes*, the Court in North Holland and *Vriesland*, they shall not be chosen Commissioners, if they bring not vnto the Companie foure thousand guilders a peece.

That the Commissioners shall attend the space of six yeares, and at the end of the same, one third part shall be removed by bills to be drawne; and two yeares after, a like third part to be removed; and likewise two yeares after, with the last third part to be done; and so from time to time to discharge the elder in office. And in place of the dismiss or deceased, or for any reasons put by, shall be nominated three persons by the Commissioners, as well that are in place, as that are removed, as likewise by the chiefe participants and vndertakers, that in person and at their charges will come at the Court. And out of these three, the aforesaid Prouinces, their Deputies or Magistrates shal chuse new Commissioners, and continually supply the places vacant: and shall be accounted chiefe participants all these that as much stocke of their owne bring in, as the aforesaid Commissioners.

The accounts of the rigging and setting forth of the ships and other things concerning the same, shall be made within the space of three moneths after the departure of the same; and within a moneth after shall be sent copies of the same vnto vs and the severall Courts. And concerning the

the returnes, and the sale of the same, the Courts (whensoever we shall finde it conuenient, or any of the Courts desire it) shall be bound to giue vs and one another notice of all their state.

16

Every six yeares shall the reckonings be giuen vp of all voyages and returnes, profits and dammages of the Companie: viz. one of the traffike, and another of the warres, seperatly; which reckonings shall be done publikly, and after bills affixed, that euery one being interessed, may come at the making vp of these accounts. And in case before the end of the seuenth yeare the same be not done, the Commissioners shall lose their prouisions, and shall be conuerted to the vse of the poore, and they neuerthelesse be bound to make their reckonings as before, within such a time, and vpon such penalties as shall be decreed by vs against such delinquents and infringers. And this notwithstanding there shall be made distributions as many times as shall be proued and certified ten in the hundred to be gotten by traffike.

17

No man shall during the time of this grant, haue power to draw his cappitall or stocke from the Companie; and likewise no new partakers in the meane time shall be accepted: but in case at the expiring of the foure and twentie yeares, it shall be thought conuenient to continue the said Companie, or to erect a new one, shall be made a finall reckoning and estimation or prise by the nineteene, with our knowledge of euery thing concerning this Companie, as likewise of the necessary charges the Companie hath bin at: and then euery one may chuse whether he will draw his mony out, or in the ensuing Companie keepe whole or in part. And in such case the Companie shall be bound to take the remaining things at her charge, and content the rest of the partakers that shall be willing to separte themselves from the Companie, euery one according to his proportion; and that at such dayes of paiement as the nineteene

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with our aduice shall find conuenient.

18

That whensoever a generall meeting of the aforesaid Courts shall be appointed, there shall meete nineteene persons, eight from the Court of *Amsterdam*, foure from *Zealand*, two from the *Maes*, two from the Northern parts of *Holland*, two from *Frisland*, and also the citie and land, provided that the nineteen persons or as many more as we shall thinke fit by vs shall be appointed and chosen, for to giue their best directions for the dispatching of the affairs of this Companie.

19

By which generall assembly of the said Courts, all matters concerning this Companie shall be propounded and concluded, with caution that in regard of matters of warre our resolution shall be required.

20

At the said generall meetings shall be resolved when any ships, and how many, and towards what coasts shal be sent or the generall good of the Companie, hauing no Court power to do any thing without a generall resolution of the rest. And in case any of these Courts might happen to be carelesse and negligent in the accomplishing of these resolutions, we haue giuen and giue by these same the said generall meetings, authoritie and power to cause offenders and delinquents to make reparation for their faults, and requested shall lend thereunto our helping hand.

21

The said generall meeting shal be kept the first six yeares at *Amsterdam*, the next two ensuing yeares in *Zealand*, and so from time to time in the two aforesaid places.

22

The Commissioners by the Companie sent to the said meetings or elsewhere, shall haue for their diet and wages foure gilders euery day, besides the mony for the boate, ship or wagons: provided that these that shall trauell from the one to the other citie, to frequent and visit the Courts

23

as Commissioners and Assistants, shall receive neither the one nor the other from the Companie.

23

And if happened in the said generall meetings any matters of great weight & moment to occurre, which concerning the Courts could not agree, and did finde difficultie if they should ouerrule one another, we haue taken vpon vs the deciding of the same, and what we shall finde good shall be followed.

24

Within the space of a moneth hence shall be given notice by bills affixed, to all inhabitants both of these and other countries, that at the expiration of the five next following moneths, beginning from the first of Iune, may be admitted & receiued, and pay their capitall sums in three paiments, viz. a third part at the end of the five moneths aforesaid, and the other two third parts within the three next ensuing yeares, vnlesse afterwards it be found more convenient to take longer time, of which the partakers shall be aduertised by bills affixed.

25

The Ships returning from their iourneys are to land at the same places they departed: and if it do happen that any ships by reason of winde & wether land in other parts, as those of *Amsterdam* or the North parts in *Zealand*, or in the *Maes*, or those of *Zealand* in *Holland*, or those of *Vriesland* with their associates in any other parts, that neuertheless euery Court shall haue the oversight & administration of his ships and goods, and shall haue power to send the ships and goods to the places where their owne Courts are kept, or hire other ships or vessels to conuey the goods to the places aforesaid, with this clause and caution, that the Commissioners shall present themselves at the places where the ships & goods shall be arriued, without vling any factors or deputies in their name. And in case it be not convenient for them to trauell vnto those places, they shall leaue the charge & administration vnto the Commissioners

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of

of the Court next to the landing of ship and goods.

26

If any of the Courts aforesaid receiue any wares, of which any of the other is vnprovided, the said shall be bound to provide the other according to her abilitie, and the same being sold, send more. That likewise the Commissioners of the Court before mentioned, standing in need of any persons for rigging of their ships or otherwise, shall send the same vnto any other Court or Courts, without vsing any factors or agents to the same purpose.

27

In case any Provinces shall appoint an Agent for to receiue the monies from the Participants in their precinct, and to put the same in their Court, and to procure payment of the distributions, he shall be admitted in the said Court, for to be informed and instructed of the out dealings, distributions and incomings, provided he bring in to the Companie fittie thousand gilders stocke or aboue.

28

The Commissioners shall haue one in the hundred of all goods going out or coming in, as likewise of all prises or taken goods; but of siluer and gold but a halfe in the hundred: of which provision the Court of *Amsterdam* shall receiue foure ninth parts, the Court in *Zealand* two ninth parts, the Court about the *Maes* a ninth part, the Court of *Friesland* ioyned with the citie and land a ninth part, the Court of North *Holland* likewise a ninth part,

29

Provided alwayes that they shall receiue but once provision for the ordenance and ships, but none at all of the ships, ordenance and other things wherewith we shall assist the said Companie; neither of the monies they shall take vp for the vse of the Companie, neither for the goods they shall sell, neither shall they bring in any accounts for the attendance and charges of diet and trauell of those they may appoint or send for the setting forth of the ships, or buying of the goods thereunto required.

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30  
The keepers of the accounts and of the cashes likewise, shall haue their wages paid out of the prouision of the Commissioners.

31  
The Commissioners shall not sell or deliuer any ships or goods or wares vnto the Companie either wholly or partly belonging vnto them; neither shall they buy or procure to be bought for them any merchandizes or goods from the Companie, directly or indirectly for themselves, nor hold in any part of the bargaine. In case they faile therein, they shall forfeit their prouision of one year (which shal be giuen vnto the poore) and themselves discharged of their places.

32  
The Commissioners shall be bound to giue notice by bills affixed, of the merchandizes and goods they newly haue receiued, because euery one may know it before they are sold.

33  
And if any of the Commissioners happens to decay in his estate, that he be not able to make good and giue satisfaction for matters trusted vnto him in regard of his administration, which might cause damage, their stocke in the Companie shall be answerable for the same, being as a pledge and securitie for their true administration. And likewise if any of the participants for goods bought or otherwise, be indebted vnto the Companie, and decays in his estate, that he be not able to pay his debts, his stocke in the Companie shall be answerable for the same.

34  
The Commissioners of the aforesaid Courts shall answer for their keepers of cash and accounts.

35  
That all the wares of this Companie to be sold by weight, shall be sold and deliuered by the weight of Amsterdam onely; and leane shall be giuen to weigh the same

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in the ships or store houses, without paying any taxes, impost or weigh mony, vpon condition neuertheless that the same being sold, shall be deliuered at the weigh-house, and pay impost and weigh-mony as many times as they shall be sold, as all other goods of like nature are vied to be.

36

That the Commissioners or their goods shall not be arrested or troubled for to haue reckoning of the administration of the Companie, neither for the wages due vnto any hauing bin employed by the Companie; but pretending any such matter, they shall be bound to call them before the ordinary Iudges.

37

Any ships coming home, the Generals or Commanders of the fleet, ship or ships, shall be bound to come vnto vs within ten dayes after their arriual, and make report vnto vs of the successe of their voyage, as well by writing as by word of mouth, as we shall finde convenient.

38

And if it happens (which is not to be thought) that any should crosse the navigation, trafficke or trading of the Companie, against the vniuersall lawes, contracts, agreements and entercourses; it shall be lawfull for the Companie to defend her selfe, and take their course according to the instructions giuen by vs.

39

Furthermore we haue promised and promise by these, that we will maintaine and defend the Companie in her free navigation and traffike, and assist the same to the said purpose, with the summe of ten hundred thousand gilders to be paid within the space of five yeares, and the first two hundred thousand gilders shall be furnished as soone as the participants haue brought in their first palment of their stocke promised: provided alwayes that for the first ten hundred thousand gilders we shall receiue profit and damage as the other participants shall do.

40

And in case it do happen the Companie shall be strongly assaulted and invaded in any of the aforesaid parts, we shall assist her (these countries in any manner of ways being able to do it) with sixteene ships of warre, the least being three hundred tunne, besides foure pinnaces, the least shall be foure score tunne, being of every thing necessary well furnished of ordnance both of brasle and iron, and fit quantitie of munition, double hangings, sailes, ropes, ankerr, and other necessities, as shall be fit for any great voyage; provided that the said afterwards shall be manned, victualled and kept at the charge of the Companie, vpon condition the said Company shall set forth likewise sixteen ships and foure pinnaces furnished as ours, for to defend the Companie from her enemies, as likewise to assault them. And our said ships of warre shall ioyne with the ships of the Companie, and shall go forth vnder one Admirall, to be chosen by vs with aduice of the foresaid Courts or generall meetings, and shall follow our directions and commandements, agreeable to the resolutions of the Company, to make warres against their enemies. But the ships of the Companie being laden, shall not hazard themselves without great necessitie.

And if it shall happen that the charges of the warres in our countries here do grow lesse, and increase in the parts aforesaid, we haue promised and promise by these presents to giue as much aide and assistance vnto the Companie as these countries shall be able to permit, and the state or condition of the Companie shall require.

Moreover we haue ordered, that if it happen in time of warres any prizes to be taken within the said limits of the Companie, as well from their enemies as pirates, or by any ading and assisting this Companie, as likewise the goods that shall be seised vpon by vertue of our Proclamations, all necessary charges, and the damages of the Companie suffice.

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suffered by the taking of prizes, besides the right of his Excellencie in qualitie of Admirall, according to our resolution made the first of April, Anno 1602, and the tenth part belonging to the Officers, mariners and souldiers that haue made the prizes, being deducted, they shall remaine at the disposition of the Companie, which shall be bound to keepe reckonings asunder of the same. And the profit or benefit of the said prizes, shall be employed or bestowed to the setting forth of ships, and paying of the men of warre, as likewise to the making of fortifications, the putting in garrisons, and other like matters of warre and defence both by water and land, without making any distributions, vnlesse it did appeare the said profit and benefit to be so great, that without weakning the defence of the Companie, and all charges of the warres being deducted, a good portion might be deuided, seperated from the commerce. And the distribution shall be made in this manner: a tenth part shall be giuen for the generall good of these countries, and the rest shall be deuided amongst the Participants of the Companie *pro rata* and according to their stocks.

43

Provided alwayes that the goods and prizes by vertue of our Proclamations seised vpon and brought in, shall be censured by the Iudges of the Admiraltie where they are landed, and iudged whether they be lawfull prizes or not: And during the suite the administration of the said goods, after a due Inuentorie made, shall remaine vnto the Companie, reseruing the residue for those that by the sentence of the Admiraltie might finde themselves aggriued. And the Vendemaister or outcrier, and the other officers of the Admiraltie, shall not pretend any thing of the prizes benefited or sold by the Companie, they hauing had nothing to do with the same.

44

The Commissioners of this Companie shall be bound by oath, so be true and faithfull in their administration, to keepe good reckonings of their dealings, to procure the most

most benefit of the Companie, and so to aide all hurt and damage as much as shall be in their power, that they shall not fauour any of the greatest Participants more then the least, either in the bringing in of their stockes, or the making of the distributions: that of those that shall owe money to the Companie, they shall not fauour the one more then the other: that they as long as they shall be Commissioners, shall keepe such stocke in the Companie as is prefixed by this grant; as likewise that they shall keepe and obserue euery point and article here aboue mentioned, and procure to be held and kept according to their ability.

45  
All which priuiledges, liberties and exemptions, besides the assistance afore mentioned in euery point and article here aboue, we haue granted vnto the said Companie after good aduice, and do grant by these, promise and giue by these promising to procure that they shall enioy the same without any disquiernesse or hinderance. We order likewise that the said shall be kept by all Magistrates, Officers and subiects of these vnited Prouinces, without doing any thing contrary vnto the same, either directly or indirectly, within or without these vnited Prouinces, vpon paines to be punished both in body and goods, as enemies of the common good and infringers of our orders. Promising besides to maintaine the Companie in all points aforesaid, by all treaties of peace, alliances, entercourses, with the neighbour Princes, kingdomes and countries, not suffering any thing to be done contrary to the same. Wherefore wee charge and command directly all Gouvernours, Iustices, Officers, Magistrates and inhabitants of these vnited Prouinces, that they permit and suffer the said Company and Commissioners to enioy peaceably and without any disturbance the effect of this grant, consent and priuiledge, ceasing by this all other matters ordered to the contrary. And because none might pretend ignorance of these, we haue commanded

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that

that the principall points of this Grant shall be made  
knowne either by publication or affixing of bills, where it  
shall be required, iudging the same to be for the good of  
this Countie.

FINIS.







