



New York State Archives

**New York Colony Secretary Charter of the Proprietary Colony
from Charles II to the Duke of York B1371**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of the charter from Charles II, King of England, granting land to his brother James, Duke of York. The charter gave James the authority to send an armed force to compel the Dutch surrender of the New Netherland province to the English. It grants territory that now comprises most of Maine, part of Connecticut, New York, New Jersey and part of Pennsylvania to James and specifies details of governance and management.
Creator:	New York (Colony). Secretary
Title:	Charter of the proprietary colony from Charles II to the Duke of York
Quantity:	0.1 cubic feet
Quantity:	1 item
Inclusive Date:	1664
Series:	B1371

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Administrative History

James, Duke of York, later James II, was the third son of Charles I and Henrietta Maria, daughter of Henry IV of France. Created duke of York and Albany (1643), James fled England during the Civil War and spent 12 years abroad. He returned to England with his elder brother Charles II at the Restoration (1660). With Charles' ascent to the throne, James was made lord high admiral and warden of the Cinque Ports, as well as heir to the throne. James was also governor of the Company of Royal Adventures Trading to Africa, which was informally at war with the Dutch trading companies on the coast of West Africa. In 1664 an English squadron surprised and seized the Dutch province of New Netherland for which the duke had been granted a secret royal patent. New Amsterdam and Fort Orange were renamed New York and Albany in his honor. He commanded the fleet in Naval battles with the Dutch in 1665 and 1672, but the Test Act cost him his naval post in 1673. He ascended the throne upon the death of his brother Charles II in 1685.

Charles II was born May 29, 1630 and died February 6, 1685. He was the second son of Charles I and Henrietta Maria. After his father's execution in 1649, he assumed the royal title.

He was in exile on the continent for nine years until his restoration in 1660, and he reigned until his death in 1685.

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Scope and Content Note

The series is a charter from Charles II, King of England, granting land to his brother James, Duke of York (later James II King of England). By setting up this proprietary colony by granting this secret royal patent, it was hoped that the Dutch influence in North America could be curtailed and that the independent tendencies of the Massachusetts Bay Company could be brought under control. The charter was awarded on March 12, 1664, and gave James the authority to send an armed force to compel the Dutch surrender of the New Netherland province to the English. It grants territory that now comprises most of Maine, part of Connecticut, New York, New Jersey and part of Pennsylvania to James and his heirs in perpetuity. It also specifies details of governance, including powers, privileges, and duties that accrued to the grant, and provides for its management by allowing James and his heirs to delegate administrative functions (relating to matters of law, trade, rebellion, and defense) to assigned deputies, agents, commissioners, or governors.

The charter is hand written on parchment and sewn onto a parchment border. Some text is obscured by damage. An extensive India ink decoration along the top portion of the recto depicts birds and flowers flanking a bordered crest that is apparently that of Charles II. The sheet is hand ruled in red ink. The text is written in English in iron gall ink and includes decorative capital letters. The mounted parchment measures 25 x 34" (71 x 86 cm) overall. The document ends with a note "By the King" and the name "Howard" (apparently referring to the royal secretary). There is neither a signature nor a seal of the king.

The verso of the charter shows several notations. Text along the lower left corner reads "In Perpetuity granted to his Royal Highness James Duke of Yorke." A somewhat faded note, not contemporary to the charter, labels the document as "Charter of New York from Ch. II" and states that a "copy is recorded in Book 1. Patents 1664. 1667 page 109." This note refers to series 12943-78, Letters Patent, which is a copy from the original patent books in which the charter appeared on page 109 (in the series copy it appears on page 139). Finally, there are other brief faded abbreviations and a small amount of illegible text, the sense of which is a witnessing of the grant on March 12th in the 16th year of Charles reign.

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Related Information

Related Material

12943Series 12943, Letters Patent, contains a copy of an original transcription of the patent

A0453Series A0453, Record of Deeds (Book 1), contains the record of the second charter to the Duke of York (1674), confirming the charter of 1664

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Use of Records

Access Restrictions

Restricted: Access by permission of state archivist under supervision of archives staff only.
Published version is first use copy.

Alternate Formats AvailableAlternate Formats Available

Published in "Colony Charters, Patents, and Grants to the Communities comprising the City of New York," (New York : Board of Statutory Consolidation of the City of New York, 1939).

[Charter of the proprietary colony from Charles II to the Duke of York, 1664](#)

Administrative Information

Acquisition Information

Transferred from the New York State Library on August 25, 1993.

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Access Terms

- Pennsylvania

- United States--History--Colonial period, ca. 1600-1775
- Charters
- Land grants
- New York (State)--History--Colonial period, ca. 1600-1775
- Administering land grants
- North America--History--Colonial period, ca. 1600-1775
- New York (State)
- Maine
- Land tenure--England--History
- Land grants
- New Jersey
- Great Britain--Colonies--America
- Connecticut
- Land titles
- Real property
- Parchment
- Issuing charters
- Charters
- Sovereignty
- Charles II, King of England, 1630-1685.
- James II, King of England, 1633-1701
- Charles II, King of England, 1630-1685.