

Fundamental Orders of 1639

What it says...

What it means...



<p>Preamble 1: <i>... we the Inhabitants and Residents of Windsor, Hartford and Wethersfield are now cohabiting and dwelling in and upon the River of Connectecotte and the lands thereunto adjoining...</i></p>	<p>We the residents of Windsor, Hartford and Wethersfield living along the Connecticut River and in the surrounding area...</p>
<p>Preamble 2: <i>... well knowing where a people are gathered together the word of God requires that to maintain the peace and union of such a people there should be an orderly and decent Government established</i></p>	<p>... know that in order to keep the peace among people, there should be an orderly Government set up.</p>
<p>Preamble 3: <i>... in our civil affairs to be guided and governed according to such Laws, Rules, Orders and Decrees as shall be made, ordered, and decreed as followeth:</i></p>	<p>Our public activities will be guided by the following laws, rules, and orders:</p>

1. *It is Ordered, sentenced, and decreed, that there shall be yearly two General Assemblies or Courts, the one the second Thursday in April, the other the second Thursday in September following; the first shall be called the Court of Election, wherein shall be yearly chosen [...] Magistrates and other public Officers... Whereof one to be chosen Governor for the year... which choice shall be made by all that are admitted freemen and have taken the Oath of Fidelity, and do cohabit within this Jurisdiction*

There will be two General Assemblies (or Courts) each year, one the second Thursday in April and the other the second Thursday in September. The first one will be the Court of Elections, where Magistrates and Public Officers are chosen. One of these will be the Governor for the year. All the freemen in the three towns who take the Oath of Loyalty may vote.

2. *It is Ordered, sentenced, and decreed, that the election of the aforesaid Magistrates shall be in this manner: every person present and qualified for choice shall bring in [...] one single paper with the name of him written in it whom he desires to have Governor, and that he that hath the greatest number of papers shall be Governor for that year.*

Here is how the elections will happen. Every qualified voter will bring a piece of paper with the name of the person he wants to be Governor written on it. The person with the most votes will be Governor for the year.

<p>3. <i>It is Ordered, sentenced, and decreed, that ... it shall be lawful for each of the Towns aforesaid by their deputies to nominate any two whom they conceive fit to be put to election</i></p>	<p>The deputies from each town may nominate two people to run for election.</p>
<p>4. <i>It is Ordered, sentenced, and decreed, that no person be chosen Governor above once in two years, and that the Governor be always a member of some approved Congregation</i></p>	<p>No person may be elected Governor two years in a row. The Governor must always be a member of an approved church.</p>
<p>5. <i>It is Ordered, sentenced, and decreed, that to the aforesaid Court of Election the several Towns shall send their deputies, and when the Elections are ended they may proceed in any public service as at other Courts. Also the other General Court in September shall be for making of laws, and any other public occasion, which concerns the good of the Commonwealth.</i></p>	<p>The towns must send their deputies to the Court of Election. They may carry out other business after the elections are over. The General Court in September will be for making laws.</p>

6. *It is Ordered, sentenced, and decreed, that the Governor shall [...] send out summons to the Constables of every Town for [...] these two standing Courts one month at least before... if the Governor and the greatest part of the Magistrates see cause upon any special occasion to call a General Court, they may [...] upon a shorter notice... And if the Governor and [...] Magistrates shall either neglect or refuse to call the two General standing Courts [...] the Freemen thereof, or the major part of them, shall petition to them so to do*

The Governor must send out a notice to each town at least one month before the General Court meets. If necessary, a special General Court may be called on short notice. If the Governor and Magistrates fail to call General Courts, the Freemen can do it.

7. *It is Ordered, sentenced, and decreed, that after there are warrants given out for any of the said General Courts, the Constable or Constables of each Town, shall forthwith give notice distinctly to the inhabitants [...] in some public assembly or by going [...] from house to house, that at a place and time by him [...] set, they meet [...] together to elect and choose certain deputies to be at the General Court... none [to] be chosen a Deputy [...] which is not a Freeman of this Commonwealth.*

Once the Constable of the town receives the notice, he must tell the town residents about the meeting of the General Court, either in a public meeting or by going door to door. The town residents will then meet to elect deputies to attend the General Court. To be chosen as a deputy, you must be a freeman.

8. *It is Ordered, sentenced, and decreed, that Windsor, Hartford, and Wethersfield shall have power, each Town, to send four of their Freeman as their deputies to every General Court; and Whatsoever other Town shall be hereafter added to this Jurisdiction, they shall send so many deputies as the Court shall judge... deputies shall have the power of the whole Town to give their votes and allowance to all such laws and orders as may be for the public good, and unto which the said Towns are to be bound.*

Windsor, Hartford, and Wethersfield are each allowed to send four Freeman from the town as deputies to the General Court. If new towns are added, the Court will decide how many deputies they get to send. Deputies have the power to vote on behalf of their whole town and any laws they agree to must be accepted by the town.

9. *It is Ordered, sentenced, and decreed, that the deputies thus chosen shall have power and liberty to appoint a time and a place of meeting together before any General Court... deputies shall have power to fine any that shall be disorderly at their meetings, or for not coming in due time or place according to appointment*

Deputies may meet before the General Court at whatever time and place they choose. They may fine people who are disorderly at their meetings or who do not show up for the meeting.

10. *It is Ordered, sentenced, and decreed, that every General Court [...] shall consist of the Governor, or some one chosen to moderate the Court, and four other Magistrates at least, with the major part of the deputies of the several Towns legally chosen... General Courts shall consist the supreme power of the Commonwealth, and they only shall have power to make laws or repeal them, to grant levies, to admit of Freemen*

The Governor (or someone else chosen to fill in for him), at least four of the Magistrates, and more than half of the town deputies must attend every General Court. The General Courts will be the highest power in the Commonwealth, and only they will have the power to make or repeal laws, raise taxes, or approve residents as Freemen [voters].

11. *It is Ordered, sentenced, and decreed, that when any General Court [...] have agreed upon any sum, or sums of money to be levied upon the several Towns within this Jurisdiction, that a committee be chosen to set out and appoint what shall be the proportion of every Town to pay of the said levy, provided the committee be made up of an equal number out of each Town.*

When the General Court decides on a tax, a group of people will be chosen to decide how much each town should pay. The group will have the same number of people from each town.